# The Commonwealth of Massachusetts

# JOURNAL OF THE HOUSE.



WEDNESDAY, FEBRUARY 26, 2020.

[19]\*

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Wednesday, February 26, 2020.

Met according to adjournment at eleven o'clock A.M. 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.

Statement of Representative LeBoeuf of Worcester.

A statement of Mr. LeBoeuf of Worcester 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 I was absent from the House Chamber for the session held on Wednesday, February 5, due to my dealing with a virus that made me become violently ill and physically unable to make it to the State House to cast votes. My missing of roll calls that day was due entirely to the reason stated.

Statement of Mr. LeBoeuf of Worcester.

Statement Concerning Representative Madaro of Boston.

A statement of Mrs. Haddad of Somerset concerning Mr. Madaro of Boston 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, Representative Madaro of Boston, was unable to be present in the House Chamber for today's sitting due to his second day of sitting for the Massachusetts Bar Examination. If he could have been present for today's sitting he would have voted in the affirmative on roll calls numbered 148, 149, 151 and 152; and in the negative on roll call numbered 150. His missing of roll calls today was due entirely to the reason stated.

Statement concerning Mr. Madaro of Boston.

#### Guests of the House.

During the session, Mr. Ayers of Quincy took the Chair, declared a brief recess and introduced Deputy Mayor of Cork, Frank O'Flynn and Tim Lucey, CEO of County Cork, Ireland who were spending a few days in Massachusetts as part of their "Sister City" partnership with the city of Quincy. Deputy Mayor O'Flynn, then briefly addressed the House. They were the guests of the Messrs. Ayers, Chan of Quincy, Hunt of Boston and Mariano of Quincy.

Deputy Mayor Frank O'Flynn and Tim Lucey, CEO, of County Cork.

During the session, Ms. Tyler of Boston took the Chair, declared a brief recess and introduced and congratulated members of the Most Worshipful Prince Hall Grand Lodge No. 459, which was issued its charter on September 29, 1784 making it the first lodge for Blacks in America. They were the guests of the Boston delegation.

Prince Hall Grand Lodge No. 459.

#### Orders.

The following order (filed by Ms. Cronin of Easton) 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 the Judiciary be granted until Tuesday, May 12, 2020 within which time to make its final report on current House document numbered 4599.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4501), ought to be adopted. Under suspension of the rules, on motion of Ms. Cronin of Easton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Judiciary committee, extension of time for reporting.

The following order (filed by Mr. O'Day of West Boylston) 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 Municipalities and Regional Government be granted until Monday, March 23, 2020 within which time to make its final report on current Senate documents numbered 114 and 1204, and House documents numbered 1757, 1758, 1773, 1774, 1822 and 1823.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4482), ought to be adopted. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Municipalities and Regional Government committee,—extension of time for reporting.

#### Communication.

A communication from the Department of Public Health (see Section 25A of Chapter 112 of the General Laws) submitting a status report regarding the forthcoming filing of the annual report on Investigatory and Disciplinary Actions Conducted by the Board of Registration in Pharmacy for the calendar year 2019, was placed on file.

Pharmacy board report,—status.

## Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2557) of Dean A. Tran and Stephan Hay (by vote of the town) for legislation to amend the charter for the town of Lunenburg. To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, Senate, No. 2561) of Diana DiZoglio (with the approval of the mayor and city council) for legislation to authorize Nikos Sofronas to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement; and

Petition (accompanied by bill, Senate, No. 2562) of Diana DiZoglio (with the approval of the mayor and city council) for legislation to authorize Diana Grullonto to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement;

Severally to the committee on Public Service.

Lunenburg,—charter.

Haverhill,— Nikos Sofronas.

Haverhill,— Diana Grullonto. Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2570) of Ryan C. Fattman for legislation to provide for a medical exemption for manufacturer coupons. To the committee on Health Care Financing.

Petition (accompanied by bill, Senate, No. 2571) of Patrick M. O'Connor for legislation to prevent domestic violence. To the committee on the Judiciary.

Prescriptions,—manufacturer coupons.

Domestic violence.

## Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4502) [for order, see House, No. 4504]. The order was adopted.

Supplemental appropriations.

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 Michelle L. Ciccolo and others relative to the application of the domestic workers bill of rights as it pertains to au pairs;

Joint petition (accompanied by bill) of Joseph D. McKenna, Ryan C. Fattman and others relative to employment protections for domestic violence victims;

Petition (accompanied by bill) of Paul McMurtry, Paul J. Donato and others relative to room and board costs for au pairs under certain provisions of the domestic workers rights law;

Petition (accompanied by bill) of Michael J. Moran and others relative to au pairs and host families; and

Petition (accompanied by bill) of Michael J. Moran and others for an investigation and study by a special commission (including members of the General Court) relative to the au pair exchange visitor program;

Severally to the committee on Labor and Workforce Development.

Petition (accompanied by bill) of Kevin G. Honan and others (with the approval of the mayor and city council) that the city of Boston be authorized to fund affordable housing through a fee on certain real estate transfers. To the committee on Revenue.

Petition (accompanied by bill) of David F. DeCoste and others relative to legislative approval for certain agencies to engage in certain transportation climate initiatives. To the committee on State Administration and Regulatory Oversight.

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

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Ware to exempt Christopher Scott Romani from the maximum age requirement for applying for civil service appointment as a police officer (House, No. 4010) [Local Approval Received], be scheduled for consideration by the House.

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

Au pairs,—rights.

Domestic violence.

Au pairs,—housing costs.

Au pairs.

Id.

Boston,—affordable housing.

Climate initiative participation.

Ware,— Christopher Romani. By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill authorizing and accelerating transportation investment (House, No. 4397), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4505) [Bond Issue: General Obligation Bonds: \$16,790,000,000.00 and Special Obligation Bonds: \$1,250,000,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Transportation, investment.

By Mr. Mahoney of Worcester, for the committee on Public Health, on a petition, a Bill relative to improving the outcomes for sudden cardiac arrest in the Commonwealth (House, No. 1938).

Cardiac arrest.

By the same member, for the same committee, on a petition, a Bill relative to home health and hospice aides (House, No. 1939).

Health and hospice aides.

Postural

By the same member, for the same committee, on a petition, a Bill to update postural screenings in schools (House, No. 1946).

screenings.
Health risks,—

By the same member, for the same committee, on a petition, a Bill to protect youth from the health risks of sugary drinks (House, No. 1947).

sugary drinks.

By the same member, for the same committee, on a petition, a Bill relative to HIV prevention access for young adults (House, No. 1954).

HIV prevention access.

By the same member, for the same committee, on a petition, a Bill regarding pediatric palliative care (House, No. 1982).

Pediatric palliative care.

By the same member, for the same committee, on a petition, a Bill promoting radon testing (House, No. 1994).

Radon testing.

By the same member, for the same committee, on a petition, a Bill relative to improving asthma in schools (House, No. 1995).

Asthma,—schools.

By the same member, for the same committee, on a petition, a Bill to ban the use of PFAS in food packaging (House, No. 3839).

Food packaging.

By the same member, for the same committee, on House, Nos. 1907, 1915 and 1971, a Bill relative to conducting fetal and infant mortality review (House, No. 4445).

Infant mortality review.

By the same member, for the same committee, on House, No. 1943, a Bill establishing a special commission to study the integration of support groups into our healthcare system (House, No. 4447).

Support groups,—study.

By the same member, for the same committee, on House, No. 1949, a Bill to reduce racial disparities in maternal health (House, No. 4448).

Maternal health.

By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, a Bill increasing access to medical care for veterans (House, No. 3235).

Veterans, medical care.

By the same member, for the same committee, on a petition, a Bill relative to EMT certification of veterans and military medics (House, No. 3237).

EMT certification.

By the same member, for the same committee, on a petition, a Bill authorizing Veterans' Administration patients to ride the Pioneer Valley Transit Authority without cost (House, No. 3244).

Veterans, transportation.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Poet laureate.

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on House, Nos. 2945 and 2946, a Bill relative to the position of poet laureate for the Commonwealth of Massachusetts (House, No. 2945).

Architect laureate.

By the same member, for the same committee, on a petition, a Bill relative to the architect laureate (House, No. 2947).

By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, a Bill to establish a commission to report on the people's budget (House, No. 3220).

People's budget.

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill providing for the Board of Library Commissioners (House, No. 2939). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Board of Library Commissioners.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to the registration of veterinarians (House, No. 209).

Veterinarians, registration.

By the same member, for the same committee, on a petition, a Bill relative [sic] water treatment and wastewater treatment facilities (House, No. 222).

Waste treatment facilities.

By the same member, for the same committee, on a petition, a Bill relative to craft brewers (House, No. 327).

Craft brewers.

By the same member, for the same committee, on a petition, a Bill to promote economic development and market access for emerging businesses (House, No. 3549).

Emerging businesses.

By the same member, for the same committee, on a petition, a Bill relative to the Board of Registration of Cosmetology and Barbering exams (House, No. 3709).

Cosmetology,—exams.

By the same member, for the same committee, on a petition, a Bill relative to certain professional licensure training requirements (House, No. 3754).

Professional requirements.

By the same member, for the same committee, on House, Nos. 197 and 215, a Bill to mandate domestic violence and sexual assault awareness education (House, No. 4451).

Violence and sexual assault,—education.

By the same member, for the same committee, on House, No. 245, a Bill relative to advancing the profession of commercial interior design (House, No. 4453).

Commercial interior design.

By the same member, for the same committee, on House, No. 317, a Bill relative to wildlife rehabilitators and veterinarian collaboration (House, No. 4456).

Wildlife rehabilitators.

By the same member, for the same committee, on House, No. 3479, a Bill relative to the licensure of behavior analysts (House, No. 4457).

Behavioral analysts.

By the same member, for the same committee, on House, No. 3827, a Bill relative to genetic counselors (House, No. 4458).

Genetic counselors.

By Ms. Ferrante of Gloucester, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill establishing the Abigail Adams entrepreneurial program for women (House, No. 3755).

Abigail Adams program.

By Mr. Mahoney of Worcester, for the committee on Public Health, on House, No. 1912, a Bill relative to sexual assault counselor task force [sic] (House, No. 4446).

Sexual assault.

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill relative to raising funds for the Plymouth Massachusetts 400th Anniversary Commission Trust Fund (House, No. 2933).

Plymouth,—anniversary.

By the same member, for the same committee, on a petition, a Bill relative to tourism and visitation marketing and promotion grants (House, No. 2951).

Tourism grants.

By the same member, for the same committee, on a petition, a Bill to authorize the acquisition of land, the development and construction of an underground railroad, civil rights and black heritage museum and cultural center in Springfield (House, No. 2953).

Springfield, cultural land. By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, a Bill providing for timely reimbursement of cities and towns for veterans' benefits (House, No. 3196).

By the same member, for the same committee, on a petition, a Bill relative to the hiring of veterans (House, No. 3204).

By the same member, for the same committee, on a petition, a Bill relative to treating veterans under the pension laws (House, No. 3216).

By the same member for the same committee, on a petition, a Bill relative to veteran's [sic] benefits for surviving spouses (House, No. 3241).

By the same member, for the same committee, on a petition, a Bill relative to emergency medical transportation provided to veterans (House, No. 3242).

By the same member, for the same committee, on a petition, a Bill to protect the veterans hiring preference (House, No. 3243).

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill further regulating storage of alcoholic beverages (House, No. 212).

By the same member, for the same committee, on a petition, a Bill relative to the direct sale of alcoholic beverages for off-premises consumption (House, No. 230).

By the same member, for the same committee, on a joint petition, a Bill concerning horse racing within the town of Great Barrington (House, No. 4272). [Local Approval Received].

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill enhancing flexibility for event licensing in the town of Foxborough (printed in House, No. 4282).

By the same member, for the same committee, on House, Nos. 214 and 342, a Bill relative to consumer rights of renters (House, No. 4452).

By the same member, for the same committee, on House, Nos. 273 and 280, a Bill relative to health clubs [sic] membership fees (House, No. 4454).

By the same member, for the same committee, on House, No. 294, a Bill authorizing the town of Dedham to grant additional licenses for the sale of all alcoholic beverages to be drunk on premises at Legacy Place (House, No. 4455) [Local Approval Received].

By the same member, for the same committee, on House, No. 4257, a Bill relative to the cancellation of physical fitness services (House, No. 4459).

By Ms. Ferrante of Gloucester, for the committee on Economic Development and Emerging Technologies, on House, No. 14 and on a part of House, No. 12, a Bill to enable municipal and regional planning agency employees to fully participate in gaming policy advisory committees (House, No. 14).

By the same member, for the same committee, on a petition, a Bill relative to the town of Avon (House, No. 371).

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill to expand membership opportunities in local cultural councils (House, No. 2937).

By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, a Resolve relative to recognition for the Naval Armed Guard service (House, No. 3209).

Veterans' benefits,—
reimbursement.

Veterans,—hiring.

Veterans,—judges.

Veterans,—spouses.

Veterans, transportation.

Veteran hiring.

Alcoholic beverages,—storage.

Off-premises consumption.

Great
Barrington,—
racing.

Foxborough, event licensing.

Renters,—rights.

Health clubs, membership.

Dedham, liquor licenses.

Fitness clubs,—cancellation.

Gaming policy advisors.

Avon.

Cultural councils,— membership.

Naval Armed Guard. By the same member, for the same committee, on a petition, a Bill relative to burial expenses for veterans (House, No. 3210, changed in lines 12 and 13 by striking out the paragraph contained in those lines).

Veterans, burial expenses.

Id.

By the same member, for the same committee, on a petition, a Bill relative to burial expenses for veterans (House, No. 3217, changed in lines 11 and 12 by striking out the paragraph contained in those lines).

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

By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, Resolutions urging the Congress of the United States to update the Drug Addiction Treatment Act of 2000 and remove excessive training requirements mandated for obtaining a waiver to prescribe buprenorphine (House, No. 3194).

Drug addiction treatment.

By the same member, for the same committee, on a petition, Resolutions for a United States constitutional amendment and a limited amendment proposing convention (House, No. 3208).

Constitutional amendment convention.

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

### Emergency Measure.

The engrossed Bill establishing a sick leave bank for Paul A. Wilson, an employee of the Department of Developmental Services (see House, No. 3900), 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.

Paul Wilson, sick leave.

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.

#### Engrossed Bills.

Engrossed bills

Establishing an economic development special revenue account for the town of Ashland (see House, No. 3953, amended); and

Bills enacted.

Authorizing the town of Holliston to convert a certain liquor license (see House, No. 4118);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

#### Recess.

At ten minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and at three minutes after three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

## Reports of Committees.

Prior to the noon recess, Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 4354, reported, in part, a Bill making appropriations for the fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4502) [Total Appropriation: \$122, 841,767.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

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

Subsequently, the noon recess having terminated, under 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 time.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yea and nays, at the request of the same member; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed, yea and nay No. 148.

Transportation,—investment.

Transportation.—

## [See Yea and Nay No. 148 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 4326, reported, in part, a Bill authorizing and accelerating transportation investment (House, No. 4506) [Bond Issue: \$14,508,000,000.00].

The same member, for the same committee, on House, No. 4285, reported, in part, a Bill relative to transportation finance (House, No. 4508) [Representative Smola of Warren dissenting].

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

By Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill financing municipal roads and bridges (House, No. 4326) [for order, see House, No. 4507].

On the question on adoption of the order, the sense of the House was taken by yeas and nays at the request of Mr. Jones of North Reading; and on the roll call 120 members voted in the affirmative and 31 in the negative.

Municipal roads and bridges.

finance.

Order adopted,—yea and nay
No. 149.

## [See Yea and Nay No. 149 in Supplement.]

Therefore the order was adopted.

By Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4285) [for order, see House, No. 4509].

Pending the question on adoption of the order, Mr. Jones of North Reading and other members of the House moved to amend it in line 6 by striking out the following: "five o'clock P.M. on Friday, February 28" and inserting in place thereof the following: "one o'clock P.M. on Monday, March 2".

Supplemental appropriations.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Jones; and on the roll call 31 members voted in the affirmative and 120 in the negative.

# [See Yea and Nay No. 150 in Supplement.]

Therefore the amendment was rejected.

On the question on adoption of the order, the sense of the House was taken by yeas and nays at the request of Mr. Jones of North Reading; and on the roll call 120 members voted in the affirmative and 31 in the negative.

## [See Yea and Nay No. 151 in Supplement.]

Therefore the order was adopted.

## Reports of Committees.

Prior to the noon recess, Mr. Michlewitz of Boston, for the committee on Ways and Means, reported that the Bill relative to strengthening the local and regional public health system (House, No. 1935), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4503). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yea and nays, at the request of the same member; and on the roll call 149 members voted in the affirmative and 0 in the negative.

## [See Yea and Nay No. 152 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

#### Order.

On motion of Mr. DeLeo of Winthrop,—

*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Mr. Frost of Auburn 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 six minutes after four o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Amendment rejected,— yea and nay No. 150.

Order adopted, yea and nay No. 151.

Regional public health system.

Bill passed to be engrossed, yea and nay No. 152.

Next sitting.