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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**THURSDAY, FEBRUARY 9, 2023.**

[14]

# JOURNAL OF THE HOUSE.

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Thursday, February 9, 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 Tribute.*

At the request of Mr. Muradian of Grafton, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Retired Grafton Fire Chief Phil Gauthier, who passed away on February 7, 2023.

Phil Gauthier.

Phil Gauthier played a significant role in the town of Grafton, having served in the fire department for 44 and a half years, including nearly 7 as Chief. He was influential to so many that knew him, and his loss will be felt for years to come.

## *Guests of the House.*

At the beginning of the session, the Chair (Mr. Donato of Medford), introduced the Division IV Superbowl championship football team and their coaches from Duxbury High School, who we seated in the House Chamber. At the invitation of the Chair, they participated in the reciting of the pledge of allegiance to the Flag. They were the guests of Representative Cutler of Pembroke and were accompanied by Senator O'Connor.

Duxbury High School football team.

During the session, the Chair (Mr. Donato), declared a brief recess and introduced, seated in the House Chamber, 5th grade students from the Newman Elementary School in Needham. They were the guests of Representative Garlick of Needham.

Newman Elementary School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber a group of activists from the Leadership Southcoast organization. They were the guests of Representatives Haddad of Somerset and Hendricks of New Bedford.

Southcoast leadership organization.

## *Communications.*

### Communications

From the Rare Disease Advisory Council (see Section 26 (f) of Chapter 260 of the Acts of 2020) submitting its inaugural annual report for calendar year 2022;

Rare Disease Advisors.

From the Hampden County District Attorney’s Office (see Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for calendar year 2022; and

Hampden,—  
wiretaps.

From the Executive Office of Education (see Section 1T of Chapter 69 of the General Laws) submitting its annual report on student preparedness for workforce and post-graduate success by school district and high school;

Student  
preparedness.

Severally were placed on file.

### *Annual Reports.*

#### Annual reports

Of the Pension Reserves Investment Management Board (under Section 23 of Chapter 32 of the General Laws) relative to divestment from companies that derive certain revenues from the sale of tobacco products;

PRIM Board,—  
tobacco  
products.

Of the Pension Reserves Investment Management Board (under Section 64 (f) of Chapter 42 of the Acts of 2022) relative to divestment from Russian restricted securities;

PRIM Board,—  
Russian  
securities.

Of the Pension Reserves Investment Management Board (under Section 6 of Chapter 232 of the Acts of 2010) relative to the divestment from Iran restricted securities; and

PRIM Board,—  
Iran  
securities.

Of the Pension Reserves Investment Management Board (under Section 4 of Chapter 151 of the Acts of 2007) relative to divestment from Sudan restricted securities;

PRIM Board,—  
Sudan  
securities.

Severally were placed on file.

### *Petitions.*

Petitions (deposited with the Clerk previously to five o’clock in the afternoon on Friday, January 20, 2023) were presented and they were severally referred, under Rule 24 and Joint Rule 13, as follows:

By Representative Uyterhoeven of Somerville, a petition (accompanied by proposal, House, No. 26) of Erika Uyterhoeven and others for a legislative amendment to the Constitution relative to voting rights of certain persons incarcerated in correctional facilities due to felony convictions. To the committee on Election Laws.

Felons,—  
voting rights.

By Representative Day of Stoneham (by request), a petition (accompanied by proposal, House, No. 27) of Vincent L. Dixon for a legislative amendment to the Constitution to establish a right to health care. To the committee on Health Care Financing.

Health  
care,—  
rights.

By Representative Day of Stoneham (by request), a petition (accompanied by proposal, House, No. 29) of Vincent L. Dixon for a legislative amendment to the Constitution relative to the right to housing. To the committee on Housing.

Housing,—  
rights.

By Representative Armini of Marblehead, a petition (accompanied by proposal, House, No. 30) of Jennifer Balinsky Armini and Andres X. Vargas for a legislative amendment to the Constitution relative to the title of the Governor;

Governor,—  
title.

By the same member, a petition (accompanied by proposal, House, No. 31) of Jennifer Balinsky Armini for a legislative amendment to the Constitution relative to the title of the Lieutenant-Governor;

Lieutenant-  
Governor,—  
title.

<p>By Representative Domb of Amherst, a petition (accompanied by proposal, House, No. 32) of Mindy Domb and Lindsay N. Sabadosa for a legislative amendment to the Constitution relative to use of gender in the Constitution of the Commonwealth;</p>	<p>Gender,— usage.</p>
<p>By the same member, a petition (accompanied by proposal, House, No. 33) of Mindy Domb and Jack Patrick Lewis for a legislative amendment to the Constitution relative to the oaths and affirmations of public office;</p>	<p>Public office,— oaths.</p>
<p>By Representative Howard of Lowell, a petition (accompanied by proposal, House, No. 34) of Vanna Howard for a legislative amendment to the Constitution relative to the term of office of judicial officers;</p>	<p>Judicial officers,— terms.</p>
<p>By Representative Jones of North Reading, a petition (accompanied by proposal, House, No. 35) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution relative to prohibiting eminent domain takings;</p>	<p>Eminent domain.</p>
<p>By Representative McMurtry of Dedham, a petition (accompanied by proposal, House, No. 36) of Paul McMurtry for a legislative amendment to the Constitution relative to changing the mandatory age of retirement for judges;</p>	<p>Judges,— retirement.</p>
<p>By Representatives Ramos of Springfield and González of Springfield, a petition (accompanied by proposal, House, No. 37) of Orlando Ramos and Carlos González for a legislative amendment to the Constitution to require reappointment of judges every five years; and</p>	<p>Judges,— reappointment.</p>
<p>By Representative Whipps of Athol and Senator Mark, a joint petition (accompanied by proposal, House, No. 38) of Susannah M. Whipps, Paul W. Mark and others for a legislative amendment to the Constitution relative to a succession plan for a vacancy in the office of Lieutenant-Governor;</p>	<p>Lieutenant- Governor,— succession plan.</p>
<p>Severally to the committee on the Judiciary.</p>	
<p>By Representative Day of Stoneham (by request), a petition (accompanied by proposal, House, No. 39) of Vincent L. Dixon for a legislative amendment to the Constitution relative to a Constitutional right to employable skills training. To the committee on Labor and Workforce Development.</p>	<p>Employable skills training.</p>
<p>By Representative Jones of North Reading, a petition (accompanied by proposal, House, No. 40) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution relative to ensuring appropriate expenditure of fair share funds received from persons reporting incomes in excess of one million dollars; and</p>	<p>Fair share funds.</p>
<p>By Representative Schmid of Westport, a petition (accompanied by proposal, House, No. 41) of Paul A. Schmid, III and others for a legislative amendment to the Constitution relative to agricultural and horticultural lands;</p>	<p>Agricultural and horticul- tural lands.</p>
<p>Severally to the committee on Revenue.</p>	
<p>Representative O’Day of West Boylston and Senator Kennedy presented a joint petition (subject to Joint Rule 12) of James J. O’Day and Robyn K. Kennedy for legislation to establish a sick leave bank for Holli Hill, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the temporary committee on Rules.</p>	<p>Holli Hill,— sick leave.</p>
<p>Mr. Galvin of Canton, for the temporary committee on Rules and the temporary committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition (accompanied by bill) was referred to the temporary committee on Rules. Sent to the Senate for concurrence in the suspension of Joint Rule 12.</p>	

Subsequently, Mr. Galvin of Canton, for the temporary committee on Rules, reported on the foregoing petition, a Bill establishing a sick leave bank for Holli Hill (House, No. 25), which was read.

Under suspension of the rules, on motion of Mrs. Haddad of Somerset, 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. O'Day of West Boylston, the bill (having been certified by the House Counsel to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. O'Day of West Boylston moved to amend it by inserting before the enacting clause the following emergency preamble:

*“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”*

The amendment was adopted; and the bill (House, No. 25, amended) was passed to be engrossed. Sent to the Senate for concurrence.

#### *Papers from the Senate.*

Petitions deposited in the Office of the Clerk of the Senate prior to five o'clock in the afternoon on Friday, January 20, 2023, which had been referred by the Senate this day, to joint committees, were presented; and the House severally concurred in the references, as follows:

By Mr. Eldridge, a petition (accompanied by proposal, Senate, No. 7) of James B. Eldridge for a legislative amendment to the Constitution to establish an independent redistricting commission;

Independent redistricting.

By Ms. Miranda, a petition (accompanied by proposal, Senate, No. 8) of Liz Miranda, Adam Gomez and Lindsay N. Sabadosa for a legislative amendment to the Constitution relative to voting rights; and

Voting rights.

By Mr. Mark, a petition (accompanied by proposal, Senate, No. 9) of Paul W. Mark for a legislative amendment to the Constitution relative to campaign finance reform;

Campaign finance reform.

Severally to the committee on Election Laws.

By Mr. Brownsberger, a petition (accompanied by proposal, Senate, No. 10) of William N. Brownsberger for a legislative amendment to the Constitution relative to the Governor and Lieutenant Governor; and

Governor and Lieutenant Governor.

By Mr. Lewis (by request), a petition (accompanied by proposal, Senate, No. 11) of Vincent Lawrence Dixon for a legislative amendment to the Constitution for term renewal process;

Term renewal process.

Severally to the committee on the Judiciary.

By Mr. Brownsberger, a petition (accompanied by proposal, Senate, No. 12) of William N. Brownsberger for a legislative amendment to the Constitution relative to select boards. To the committee on Municipalities and Regional Government.

Select boards.

By Ms. Comerford, a petition (accompanied by proposal, Senate, No. 13) of Joanne M. Comerford, Susannah M. Whipps, Susan Williams Gifford, Hannah Kane and others for a legislative amendment to the Constitution relative to agricultural and horticultural lands;

Agricultural and horticultural lands.

By Mr. Tarr, a petition (accompanied by proposal, Senate, No. 14) of Bruce E. Tarr for a legislative amendment to the Constitution to require a supermajority vote for the utilization of rainy day funds; and

Rainy  
day funds.

By the same member, a petition (accompanied by proposal, Senate, No. 15) of Bruce E. Tarr for a legislative amendment to the Constitution to cap the state income tax;

Income  
tax cap.

Severally to the committee on Revenue.

*Recess.*

At fourteen minutes before one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at fourteen minutes after one o'clock, the House was called to order with Mr. Donato in the Chair.

Recess.

*Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Holli Hill, an employee of the Department of Children and Families (see House, No. 25, amended), 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.

Holli Hill,—  
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.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

*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.

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At twenty-nine minutes before two o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.