
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, OCTOBER 4, 2023.

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JOURNAL OF THE HOUSE.

Wednesday, October 4, 2023.

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.

Silent Tribute.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess, and at the request of Mr. Carey of Easthampton, the members, guests and employees stood for a moment of silent tribute in respect to the memory of William A. Carey, III of Chesterfield who passed away September 22, 2023 at the age of 59.

William A.
Carey, III of
Chesterfield.

Bill dedicated himself to his work as a Fleet Technician with the Massachusetts State Police for 36 years. He was incredibly proud of his work. His reliability and incredible work ethic garnered respect from colleagues across the state.

Bill is survived by his wife Lori, daughter Meaghan, son John, parents Bill and Judy, his loving sisters, extended family members, and countless friends. In eternal rest, he joins his brother Sean Carey who passed away in April of this year.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Vitolo of Brookline, a petition (accompanied by bill, House, No. 4112) of Tommy Vitolo (by vote of the town) for legislation to authorize ranked choice voting in the town of Brookline. To the committee on Election Laws.

Brookline,—
ranked choice
voting.

By Representative Hogan of Stow, a petition (accompanied by bill, House, No. 4113) of Kate Hogan (by vote of the town) for legislation to further regulate special police officers in the town of Hudson. To the committee on Public Service.

Hudson,—
special
police.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Cahill of Lynn, a petition (subject to Joint Rule 12) of Daniel Cahill (with the approval of the mayor and city council) that the city of Lynn be authorized to use certain park land in said town for school purposes.

Lynn,—
land.

By Representative Elliott of Lowell, a petition (subject to Joint Rule 12) of Rodney M. Elliott and James Arciero that the Division of Animal Health be authorized to regulate the preservation of existing pet cemeteries.

Pet
cemeteries.

By Representative Fluker Oakley of Boston, a petition (subject to Joint Rule 12) of Brandy Fluker Oakley and Andrea Joy Campbell (Attorney General) for legislation to establish a trust fund to promote environmental justice in the Office of the Attorney General.

Environmental
justice
trust fund.

By Representative Galvin of Canton, a petition (subject to Joint Rule 12) of William C. Galvin for legislation to further regulate the sale and possession of certain vape pens.

Vape pens,—
regulation.

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

Papers from the Senate.

The House Bill clarifying the application of judicial retirement law (House, No. 4082), came from the Senate passed to be engrossed, in concurrence, with an amendment, inserting before the enacting clause the following emergency preamble:

Judicial
retirement.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify forthwith the application of judicial retirement law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently said committee reported that the amendment was correctly drawn; and it was adopted, in concurrence.

A report of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 921) of Joanne M. Comerford, Mindy Domb, Thomas M. Stanley, James B. Eldridge and others for legislation to protect equity for homeowners facing foreclosure,— and recommending the same be referred to the committee on Revenue,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Homeowners,—
foreclosure.

A petition (accompanied by bill, Senate, No. 2448) of Cynthia Stone Creem, Ruth B. Balser, Kay Khan and John J. Lawn, Jr. (with approval of the mayor and city council) for legislation to authorize the city of Newton to prohibit the application of second generation anti-coagulant rodenticides within its borders, was referred, in concurrence, to the committee on Environment and Natural Resources.

Newton,—
rodenticides.

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 petition of Dylan A. Fernandes, Kip A. Diggs and others relative to establishing year-round daily commuter rail service to Cape Cod. Under suspension of the rules, on motion of Mr. Fernandes of Falmouth, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Cape Cod,—
commuter
rail service.

By Mr. Gordon of Bedford, for the committee on Public Service, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 2627) of Jerald A. Parisella relative to veterans’ retirement system buybacks; and

Veterans’
buybacks.

Of the petition (accompanied by bill, House, No 2662) of Alan Silvia, Paul A. Schmid, III and Michelle M. DuBois relative to retirement buyback for veterans;

Id.

And recommending that the same severally be referred to the committee on Veterans and Federal Affairs.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Ms. Decker of Cambridge, for the committee on Public Health, on House, Nos. 2181 and 2277, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents relative to unborn victims of Down Syndrome and the health of mothers and born alive fetuses after the second trimester (House, No. 4111). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Unborn with Down Syndrome and health of mothers and born alive fetuses,— study.

Subsequently, Mr. Galvin of Canton, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Ms. Decker of Cambridge, for the committee on Public Health, on Senate, No. 1334 and House, No. 2204, a Bill relative to accelerating improvements to the local and regional public health system to address disparities in the delivery of public health services (House, No. 4101). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Public health,— disparities.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the release of a restriction on certain parcels of land in Freetown (House, No. 900).

Freetown,— land.

By the same member, for the same committee, on a petition, a Bill authorizing the reorientation of the parcel of land occupied by Riverside Boat Club of Cambridge (House, No. 3006).

Cambridge,— land.

By the same member, for the same committee, on a petition, a Bill to allow the city of Medford to transfer conservation land (House, No. 3036).

Medford,— land.

By the same member, for the same committee, on a petition, a Bill authorizing the release of a certain sewer easement in the town of Norfolk (House, No. 3125).

Norfolk,— easement.

By the same member, for the same committee, on a petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain portion of the Gardner Heritage State Park to the city of Gardner (House, No. 3133).

Gardner,— land.

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

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 4105, a Bill establishing a sick leave bank for Jaer J. Martinez, an employee of the Department of Transitional Assistance (House, No. 4110). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Jaer Martinez,— sick leave.

Recess.

At four 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 two minutes before two o'clock, the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

Reports of Committees.

Prior to the noon recess (Mr. Donato of Medford being in the Chair),— Mr. Michlewitz of Boston, for the committee on Ways and Means, reported that the Bill relative to salary range transparency (House, No. 4100), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4109). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Salary range transparency.

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

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, 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 (Ms. Hogan of Stow being in the Chair), under suspension of the rules, on motion of Mr. Cutler of Duxbury, 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 yeas and nays, at the request of Mr. Cutler; and on the roll call 148 members voted in the affirmative and 8 in the negative.

Bill passed to be engrossed,— yea and nay No. 58.

[See [Yea and Nay No. 58](#) in Supplement.]

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

Engrossed Bills.

Engrossed bills

Providing for the appointment of a commissioner of public health in the city of Brockton (see House, No. 3824); and

Bills enacted.

Exempting Joanne Ricardelli from the maximum age requirement for firefighters in the town of Wilmington (see House, No. 3964);

(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.

Emergency Measure.

Mr. Donato of Medford being in the Chair,—

The engrossed Bill clarifying the application of judicial retirement law (see House, No. 4082, 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.

Judicial retirement.

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 17 to 0. Sent to the Senate for concurrence.

Order.

On motion of Mr. Mariano of Quincy,—

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

Next sitting.

Mr. Jones of North Reading 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 five minutes after three 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.