
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, OCTOBER 26, 2023.

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JOURNAL OF THE HOUSE.

Thursday, October 26, 2023.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Garballey of Arlington 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. Garballey), 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 Representatives Domb of Amherst and Williams of Springfield, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Dr. Demetria "Dee" Shabazz, who sadly passed away on September 11, 2023 at the age of 56 years."

Dr. Demetria
"Dee" Shabazz.

A registrar in the town of Amherst and co-chair of the town's Community Safety and Social Justice Committee, Dr. Shabazz was born in Texas, and her accomplished journey took her from Texas to Alabama, Oklahoma, and finally, to Amherst, Massachusetts. Along the way she earned her Bachelors, Masters, and PhD degrees.

The beloved wife of Amilcar Shabazz for 31 years, and the mother of Amilcar II and Ursa, Dee led a life filled with teaching, community engagement, and commitment and activism for social justice. In Massachusetts she educated students at UMass Amherst, Westfield University, Bay Path University, and Cambridge College. She was a storyteller, and her work as an oral historian propelled her to lead Amherst Media as its President for many years where she founded the Climate Justice Youth Summer Program.

Locally, she was also a champion to improve student access to voting, ensuring the survival of community access television and community-based programming, and providing opportunities for young people to learn and engage in their own self-expression. She will be missed deeply by her family and the wider community.

Guests of the House.

During the Session, the Chair (Mr. Garballey of Arlington), declared a brief recess, and introduced, seated in the House Chamber, the Hamilton-Wenham Girls Tennis Team and their coaches. The Chair (Mr. Garballey) then congratulated the team and coaches on winning their second straight Division 4 MIAA State Championship. They were the guests of Representatives Kassner of Hamilton, Kerans of Danvers and Parisella of Beverly.

Hamilton-
Wenham
Girls Tennis
Team.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Haggerty of Woburn and Jones of North Reading) congratulating the Rotary Club of Reading on its one hundredth anniversary; and

Reading
Rotary Club.

Resolutions (filed by Representative Rogers of Cambridge) commending Mary White for her thirty-five years of dedicated service to the Commonwealth;

Mary
White.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Kerans of Danvers, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Massachusetts Technology Development Corporation (Mass Ventures) (see Section 6 of Chapter 40G of the General Laws) submitting financial statements for fiscal year 2023;

MassVentures.

From the Pioneer Valley Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for fiscal years ending June 30, 2022, and June 30, 2023;

Pioneer Valley
Transit
Authority.

From the Pioneer Valley Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for fiscal year ending June 30, 2023; and

Id.

From the Executive Office of Health and Human Services (see item 4000-0641 contained in Section 2 of Chapter 126 of the Acts of 2022) submitting a report regarding quality improvement rate add-on payments to nursing facilities for the purpose of permissible direct care costs;

Nursing
facilities,—
direct care
costs.

Severally were placed on file.

Annual Report.

The annual report of the Disabled Persons Protection Commission (under Section 15(f) of Chapter 19C of the General Laws) submitting its fiscal year 2023 Summary of the Abuser Registry, was placed on file.

Disabled Persons
Protection
Commission.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Jones of North Reading and Senator Crighton, a joint petition (accompanied by bill, House, No. 4146) of Bradley H. Jones, Jr., and Brendan P. Crighton (by vote of the town) that the town of Lynnfield be authorized to continue the employment of Glenn Davis, the fire chief of said town;

Lynnfield,—
Glenn Davis.

By Representative Vargas of Haverhill, a petition (accompanied by bill, House, No. 4147) of Andres X. Vargas (with the approval of the mayor and city council) that Brandon Fredette be authorized to take the civil service examination for the position of firefighter in the city of Haverhill, notwithstanding the maximum age requirement;

Haverhill,—
Brandon
Fredette.

By the same member, a petition (accompanied by bill, House, No. 4148) of Andres X. Vargas (with the approval of the mayor and city council) that Brian Dacey

Haverhill,—
Brian
Dacey.

be authorized to take the civil service examination for the position of police officer in the city of Haverhill, notwithstanding the maximum age requirement; and

By the same member, a petition (accompanied by bill, House, No. 4149) of Andres X. Vargas (with the approval of the mayor and city council) that Derek Clark be authorized 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.

Severally sent to the Senate for concurrence.

Haverhill,—
Derek Clark.

Papers from the Senate.

The House Bill relative to salary range transparency (House, No. 4109), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2484.

Salary range
transparency.

Under suspension of the rules, on motion of Mr. Jones of North Reading, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendments; and, on motion of Mr. Cutler of Duxbury, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Cutler, Fluker Oakley of Boston and Kane of Shrewsbury were appointed the committee on the part of the House. Sent to the Senate to be joined.

Conference
committee.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2490) of Thomas Chiocca for legislation relative to retirement benefits for Thomas Chiocca. To the committee on Public Service.

Thomas
Chiocca,—
retirement.

Petition (accompanied by bill, Senate, No. 2488) of Marc R. Pacheco for legislation to update and decrease a carbon emissions limit that achieves at least net zero statewide greenhouse gas emissions. To the committee on Telecommunications, Utilities and Energy.

Carbon
emissions
limit.

Petition (accompanied by bill, Senate, No. 2489) of John J. Cronin for legislation relative to modernizing Chapter 115. To the committee on Veterans and Federal Affairs.

Veterans’
benefits.

Reports of Committees.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Authorizing the town of Reading to dissolve its Affordable Housing Trust Fund (House, No. 1341) [Local Approval Received];

Reading,—
housing fund.

Authorizing Holly Thyng to purchase creditable service from the Barnstable County Retirement Board (House, No. 3652);

Holly Thyng,—
retirement.

Relative to the maximum age requirement for original appointment as a police officer for the town of Dedham (House, No. 3910) [Local Approval Received];

Dedham,—
police.

Exempting Eric Robert Esteves from the maximum age requirements for police officers in the town of Ware (House, No. 3961) [Local Approval Received]; and

Ware,—
Eric Esteves.

Establishing a sick leave bank for Corinne Senna (House, No. 4144);

Corinne Senna,—
sick leave.

Under suspension of Rule 7A, in each instance, on motion of Mr. Donato of Medford, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Fiola of Fall River, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration:

Of the petition (accompanied by bill, Senate, No. 1308) of Liz Miranda for legislation relative to zoning ordinances or by-laws in MBTA communities;

MBTA,—
zoning.

Of the petition (accompanied by bill, House, No. 2028) of Christine P. Barber and others for legislation to remove zoning barriers to help create affordable housing;

Housing,—
zoning.

Of the petition (accompanied by bill, House, No. 2034) of Daniel Cahill relative to increasing affordable and public housing options for multi-family zoning as-of-right in MBTA communities;

MBTA,—
zoning.

Of the petition (accompanied by bill, House, No. 3923) of William J. Driscoll, Jr., that zoning ordinances in MBTA communities require certain housing be located within high-capacity public transportation areas;

Id.

Of the petition (accompanied by bill, House, No. 3940) of James K. Hawkins relative to zoning ordinances in MBTA communities; and

Id.

Of the petition (accompanied by bill, House, No. 3963) of Lindsay N. Sabadosa, Mike Connolly and Vanna Howard relative to zoning and the alleviation of the housing emergency;

Housing,—
zoning.

And recommending that the same severally be referred to the committee on Housing.

Of the petition (accompanied by bill, House, No. 2038) of Simon Cataldo and Carmine Lawrence Gentile (by vote of the town) for legislation to prohibit the expansion of fossil fuel infrastructure for new construction in the town of Concord; and

Concord,—
fossil fuel
infrastructure.

Of the joint petition (accompanied by bill, House, No. 3850) of Tommy Vitolo and Cynthia Stone Creem (by vote of the town) that the town of Brookline be authorized to adopt green zoning by-laws and regulations in said town;

Brookline,—
green zoning.

And recommending that the same severally be referred to the committee on Telecommunications, Utilities and Energy.

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

Engrossed Bill.

The engrossed Bill creating the offices of select board and town manager in the town of Sandisfield (see House, No. 3907) (which originated in the House), having been certified by the Clerk to rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

House bills

Establishing a department of public works in the town of Tyngsborough (House, No. 2052); and

Third
reading
bills.

Authorizing the town of Northfield to continue the employment of Floyd Dunnell III (House, No. 4048) (its title having been changed by the committee on the Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill designating a certain bridge in the town of Dedham as the Honorable Kelly A. Timilty memorial bridge (House, No. 3383), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Dedham,—
Timilty
bridge.

Pending the question on passing the bill to be engrossed, Mr. Walsh of Peabody moved to amend it in lines 1, 2 and 3 by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “The Massachusetts Department of Transportation Bridge number D05018 on Cedar street in the town of Dedham, shall be designated and known as the Honorable Kelly A. Timilty Memorial Bridge in recognition of Kelly A. Timilty.”; and 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 provide forthwith for the naming of a certain bridge in the town of Dedham, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 3383, amended) was passed to be engrossed. 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 on Monday next at eleven o’clock A.M.

Next
sitting.

At twenty-four minutes after eleven o’clock A.M., on motion of Mr. Jones of North Reading (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.