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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**MONDAY, APRIL 10, 2023.**

[34]

# JOURNAL OF THE HOUSE.

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Monday, April 10, 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 Representative Shand of Newburyport, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Byron J. Matthews, a visionary public servant, who died March 25, 2023, at the age of 94.

Byron J.  
Matthews.

The Honorable Byron Matthews served as mayor of Newburyport (1968-1978); as cabinet secretary for the Office of Communities and Development (1979-1983) under Governor Edward J. King; and, as chairman of Northern Essex Community College (1996-2007). He was appointed by President George H.W. Bush to the board of the Federal Home Loan Bank of Boston. Born August 31, 1928, Matthews served in the U.S. Marine Corps after graduating from Newburyport High School in 1946.

As mayor of Newburyport, he led the restoration of the city's historic downtown, including: Inn Street Pedestrian Mall, Market Square Bullnose, the waterfront boardwalk, and the Custom House. He created the Lord Timothy Dexter Industrial Park, which thrives today. He oversaw the establishment of the city's reservoir, its Central and West End Fire Stations, and the rebuilding of the Annunciation Greek Orthodox Church. Through these vital places, Matthews' foresight lives in modern-day Newburyport.

## *Changes in a Joint Standing Committee.*

A communication from Minority Leader Jones was spread upon the records of the House, as follows:

April 6, 2023.

Steven T. James  
Clerk of the House of Representatives  
State House, Room 145  
Boston, MA 02133

Dear Mr. Clerk:

Please be advised that I have made a change to the appointments to the standing committees of the House and the joint standing committees of the House and Senate for the remainder of the 2023-2024 legislative session. I am removing Representative

Joint committee  
on Elder  
Affairs,—  
change in

Norman Orrall from the joint committee on Elder Affairs and appointing Representative F. Jay Barrows to the vacancy.

membership.

The appointment was ratified by a majority vote of the members of the minority party caucus, pursuant to House Rule 18 and 18A.

Please contact me should you have any questions. Thank you.

Sincerely,  
Bradley H. Jones, Jr.  
*Minority Leader.*

#### *Resolutions.*

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

Resolutions (filed by Representative Garlick of Needham) congratulating Jack Lewis Carnahan on achieving the rank of Eagle Scout with the Boy Scouts of America;

Jack  
Carnahan.

Resolutions (filed by Representative Garlick of Needham) congratulating Thomas Scanlon Reichard on achieving the rank of Eagle Scout with the Boy Scouts of America;

Thomas  
Reichard.

Resolutions (filed by Representative McMurtry of Dedham) congratulating Luke Noel Saint-Amour on achieving the rank of Eagle Scout from the Boy Scouts of America; and

Luke  
Saint-Amour.

Resolutions (filed by Representative Philips of Sharon) congratulating Ethan Levine on achieving the rank of Eagle Scout with the Boy Scouts of America;

Ethan  
Levine.

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. Shand of Newburyport, 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 Office of the Child Advocate (see Section 10 of Chapter 18C of the General Laws) submitting its annual report of the office's accomplishments and activities for fiscal year 2022;

Child  
Advocate.

From the Massachusetts Advisory Commission for Travel and Tourism (see Section 13T of Chapter 23A of the General Laws) submitting its annual report and recommendations on state expenditures to promote tourism for calendar year 2022;

Travel and  
Tourism,—  
expenditures.

From the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. (see Section 7 of Chapter 306 of the Acts of 2008) submitting audited financial statements of said conservancy for fiscal year 2022, entitled "The Green Way";

Rose Kennedy  
Conservancy,—  
The Green Way.

From the Executive Office of Health and Human Services (see item 4000-0300 contained in Section 2 of Chapter 126 of the Acts of 2022) submitting its quarterly MassHealth Pharmacy Pipeline Report; and

MassHealth  
Pharmacy  
Pipeline.

From the Massachusetts Bay Transportation Authority (see Section 62 of Chapter 176 of the Acts of 2022) submitting its report entitled: MBTA 3-Year Safety Improvement Plan;

MBTA,—  
safety plan.

Severally were placed on file.

*Annual and Special Reports.*

The annual report of the Office of the Inspector General (under Section 12 of Chapter 12A of the General Laws) summarizing the activities of the office for the prior year in a report entitled: MassHealth and Health Safety Net: 2023 Annual Report; and

MassHealth and Health Safety Net.

Special reports

Of the Special Commission on Structural Racism in the Massachusetts Probation Service (under Section 21 of Chapter 76 of the General Laws and most recently revived and continued by Section 43 of Chapter 2 of the Acts of 2023) submitting its final report;

Structural Racism,—probation.

Of the Special Commission to Investigate and Study the Impact of Qualified Immunity Doctrine to the Administration of Justice (under Section 22 of Chapter 76 of the General Laws and most recently revived and continued by Section 44 of Chapter 2 of the Acts of 2023) submitting its final report; and

Qualified Immunity Doctrine.

Of the Special Commission to Evaluate Government Use of Facial Recognition Technology (under Section 105 of Chapter 253 of the Acts of 2020 and most recently revived and continued by Section 70 of Chapter 2 of the Acts of 2023) submitting its final report and appendices;

Facial Recognition Technology.

Severally were placed on file.

*Petitions.*

A joint petition (subject to Joint Rule 9) of Lindsay N. Sabadosa and Paul W. Mark relative to dissolving the Hampshire County Regional Housing Authority and incorporating its functions into the Northampton Housing Authority (having been deposited in the office of the Clerk previously to five o'clock in the afternoon on Friday, January 20, 2023), was transmitted to the State Secretary, under the provisions of Chapter 3 of the General Laws.

Northampton Housing Authority.

The following petitions (having been deposited with the Clerk previously to five o'clock in the afternoon on Friday, January 20, 2023) were presented and they were severally referred, as follows:

By Representative Vaughn of Wrentham, a petition (accompanied by bill, House, No. 3750) of Marcus S. Vaughn relative to cannabis marketing. To the committee on Cannabis Policy.

Seasonably filed petitions.

By Representative Arriaga of Chicopee, a petition (accompanied by bill, House, No. 3753) of Shirley B. Arriaga relative to youth and athletics and establishing the PLAY trust fund to be administered by the Department of Elementary and Secondary Education.

By Representative Gregoire of Marlborough, a petition (accompanied by bill, House, No. 3754) of Danielle W. Gregoire relative to school bullying.

By Representative LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3755) of David Henry Argosky LeBoeuf for legislation to address workforce shortages in early education through educational coursework and apprenticeship participation.

By Representative Scarsdale of Pepperell, a petition (accompanied by bill, House, No. 3756) of Margaret R. Scarsdale relative to providing for full funding of regional school district transportation.

Severally to the committee on Education.

By Representative Kerans of Danvers, a petition (accompanied by bill, House, No. 3757) of Sally P. Kerans relative to prohibiting insurers from requiring annual re-authorizations for certain prescription drugs.

By the same member, a petition (accompanied by bill, House, No. 3758) of Sally P. Kerans relative to ensuring sufficient notice to homeowners by insurance companies prior to inspections.

By Representative Peake of Provincetown, a petition (accompanied by bill, House, No. 3759) of Sarah K. Peake relative to ATM receipts.

Severally to the committee on Financial Services.

By Representative Cataldo of Concord and Senator Payano, a joint petition (accompanied by bill, House, No. 3760) of Simon Cataldo, Pavel M. Payano and others relative to higher education admissions.

By Representative Domb of Amherst, a petition (accompanied by bill, House, No. 3761) of Mindy Domb and Bud L. Williams for legislation to establish an open educational resource trust fund.

Severally to the committee on Higher Education.

By Representative Hunt of Boston, a petition (accompanied by bill, House, No. 3762) of Daniel J. Hunt relative to establishing a penalty for the sale, preparation, manufacturing, or distribution of kratom products that are contaminated with dangerous non-kratom substances.

By Representative Kerans of Danvers (by request), a petition (accompanied by bill, House, No. 3763) of Howard Caras relative to healthcare proxy information.

Severally to the committee on the Judiciary.

By Representatives Nguyen of Andover and Vargas of Haverhill, a petition (accompanied by bill, House, No. 3764) of Tram T. Nguyen and Andres X. Vargas relative to parental notification about student health evaluations.

By Representative Smola of Warren, a petition (accompanied by bill, House, No. 3765) of Todd M. Smola for legislation to further regulate community-based health initiative requirements for the construction of certain nursing facilities.

Severally to the committee on Public Health.

By Representative Doherty of Taunton, a petition (accompanied by bill, House, No. 3766) of Carol A. Doherty and others for legislation to establish an income tax credit for parents contributing to college tuitions.

By Representative Paulino of Methuen, a petition (accompanied by bill, House, No. 3767) of Francisco E. Paulino relative to the senior circuit breaker tax credit.

Severally to the committee on Revenue.

By Representative LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3769) of David Henry Argosky LeBoeuf and others for legislation to promote the transition to electric school buses. To the committee on Transportation.

By Representative Gentile of Sudbury, a petition (accompanied by resolutions, House, No. 3768) of Carmine Lawrence Gentile and others for the adoption of resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and fair elections to the people. To the committee on Veterans and Federal Affairs.

Petitions severally were presented and referred as follows:

By Representative Linsky of Natick, a petition (accompanied by bill, House, No. 3740) of David Paul Linsky (by vote of the town) that the town of Natick be authorized to establish minimum seating capacity for granting licenses for the sale of

Natick,—  
alcoholic  
beverages.

all alcoholic beverages or wine and malt beverages to be drunk on the premises in said town; and

By Representative Worrell of Boston, a petition (accompanied by bill, House, No. 3741) of Christopher J. Worrell (with the approval of the mayor and city council) that the city of Boston be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises in said city;

Boston,—  
liquor  
licenses.

Severally to the committee on Consumer Protection and Professional Licensure.

By Representative Barber of Somerville, a petition (accompanied by bill, House, No. 3742) of Christine P. Barber, Patricia D. Jehlen and Erika Uytterhoeven (with the approval of the mayor and city council) that the city of Somerville be authorized to provide voting rights in municipal elections for certain residents aged 16 and 17 years old. To the committee on Election Laws.

Somerville,—  
voting  
rights.

By the same member, a petition (accompanied by bill, House, No. 3743) of Christine P. Barber, Patricia D. Jehlen and Erika Uytterhoeven (with approval of the mayor and city council) for legislation to further regulate the affordable housing trust in the city of Somerville; and

Somerville,—  
affordable  
housing.

By Representative Montaña of Boston, a petition (accompanied by bill, House, No. 3744) of Samantha Montaña (with the approval of the mayor and city council) that the city of Boston be authorized to implement rent stabilization and tenant eviction protections;

Somerville,—  
rent control  
and evictions.

Severally to the committee on Housing.

By Representative Barber of Somerville, a petition (accompanied by bill, House, No. 3745) of Christine P. Barber, Patricia D. Jehlen and Erika Uytterhoeven (with the approval of the mayor and board of aldermen) that the city of Somerville be authorized to impose municipal reviews on institutional master plans of certain institutional facilities;

Somerville,—  
master  
plans.

By Representative Galvin of Canton and Senator Brady, a joint petition (accompanied by bill, House, No. 3746) of William C. Galvin and Michael D. Brady (by vote of the town) that the town of Avon be authorized to amend the by-laws of said town to change the name of the board of selectmen to select board in said town; and

Avon,—  
by-laws.

By Representative Parisella of Beverly, a petition (accompanied by bill, House, No. 3747) of Jerald A. Parisella (with the approval of the mayor and city council) relative to the home rule charter of the city of Beverly;

Beverly,—  
charter.

Severally to the committee on Municipalities and Regional Government.

By Representative Soter of Bellingham, a petition (accompanied by bill, House, No. 3748) of Michael J. Soter (by vote of the town) that the town of Bellingham be authorized to exempt all positions in the police department of said town from certain provisions of the civil service law; and

Bellingham,—  
civil service.

By Representative Vieira of Falmouth, a petition (accompanied by bill, House, No. 3749) of David T. Vieira and Susan L. Moran (by vote of the town) that all positions of the fire department of the town of Falmouth be exempt from certain provisions of the civil service law;

Falmouth,—  
civil  
service.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Cassidy of Brockton, a petition (subject to Joint Rule 12) of Gerard J. Cassidy and Alyson M. Sullivan-Almeida for legislation to establish a sick leave bank for Lisa Balentine, an employee of the Department of Transitional Assistance.

Lisa  
Balentine,—  
sick leave.

By Representative Chan of Quincy, a petition (subject to Joint Rule 12) of Tackey Chan and others relative to increasing interest rate deductions.	Interest rate deductions.
By Representative Cusack of Braintree and Senator Timilty, a joint petition (subject to Joint Rule 12) of Mark J. Cusack, Walter F. Timilty and others relative to the retirement benefits of Brian Murphy, a uniformed member of the Department of State Police.	Brian Murphy,— retirement.
By Representative Day of Stoneham, a petition (subject to Joint Rule 12) of Michael S. Day that a certain overpass over state Route 28 in the town of Stoneham be designated as the State Trooper Tamar A. Bucci memorial bridge.	Stoneham,— Bucci bridge.
By Representative Decker of Cambridge, a petition (subject to Joint Rule 7B) of Marjorie C. Decker for legislation to authorize the city of Cambridge to impose a real estate transfer fee.	Cambridge,— real estate transfer fee.
By Representative Donaghue of Westborough, a petition (subject to Joint Rule 12) of Kate Donaghue for a legislative amendment to the Constitution relative to the oaths and affirmations of public office.	Oaths of office.
By Representative Fernandes of Falmouth, a petition (subject to Joint Rule 7B) of Dylan A. Fernandes and Julian Cyr relative to authorizing the town of Nantucket to impose a real estate transfer fee for affordable and workforce housing.	Nantucket,— real estate transfer fee.
By same member (by request), a petition (subject to Joint Rule 12) of Zorianna Petrosyan relative to school start times for middle and high school students.	Schools,— start times.
By Representative Flanagan of Dennis and Senator Cyr, a joint petition (subject to Joint Rule 12) of Christopher Richard Flanagan and Julian Cyr (with the approval of the county commissioners) for legislation to authorize Jeremiah Z. Valli to purchase creditable service from the Barnstable County Retirement Board.	Jeremiah Valli,— retirement.
By Representative Howard of Lowell, a petition (subject to Joint Rule 12) of Vanna Howard and Samantha Montaña for an investigation by a special commission (including members of the General Court) to examine anti-slavery education in schools.	Anti-slavery education.
By Representative Meschino of Hull, a petition (subject to Joint Rule 12) of Joan Meschino and others for legislation to promote the development of clean energy.	Solar development.
By Representative Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake for legislation to designate a portion of state highway Route 28 in the town of Harwich as the Alphonso Palmer Rogers highway.	Harwich,— Rogers highway.
By the same member, a petition (subject to Joint Rule 12) of Sarah K. Peake relative to accidental disability retirement for William Little, a police officer of the town of Chatham, from the Barnstable County Retirement Association.	William Little,— retirement.
By Representative Roy of Franklin, a petition (subject to Joint Rule 12) of Jeffrey N. Roy for legislation to expand customer access to a modern grid.	Electric grid access.
By Representative Uytterhoeven of Somerville, a petition (subject to Joint Rule 12) of Erika Uytterhoeven relative to educators' pay.	Educators,— pay.
By Representative Vaughn of Wrentham, a petition (subject to Joint Rule 12) of Marcus S. Vaughn relative to public schools' emergency alert systems.	Schools,— alert systems.
By Representative Vitolo of Brookline and Senator Creem, a joint petition (subject to Joint Rule 12) 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.
Severally, under Rule 24, to the committee on Rules.	

*Report of the Committee on  
State Administration and Regulatory Oversight on  
Executive Reorganization Plan No. 1 of 2023.*

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on Reorganization Plan No. 1 of 2023 (submitted by the Governor under the provisions of Article LXXXVII of the Amendments of the Constitution) relative to creating the executive office of housing and livable communities and to rename the Executive Office of Economic Development (House, No. 43) [For majority report, see Senate, No. 2378],— reported, in accordance with a provision of Joint Rule 23A, recommending that said Reorganization Plan Number 1 “ought to be approved”.

Reorganization  
Plan No. 1,—  
executive  
office of  
housing and  
livable  
communities,  
etc.

Placed in the Orders of the Day for the next sitting, the question being “Shall this reorganization plan be approved?”.

*Reports of Committees.*

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Hollie Barter, an employee of the Department of Children and Families (House, No. 3713), be scheduled for consideration by the House.

Hollie  
Barter,—  
sick leave.

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

By Representative Day of Stoneham, for the committee on the Judiciary, on a joint petition, a Bill to establish a sick leave bank for Kathleen Donnellan, an employee of the Norfolk Superior Court (House, No. 3712).

Kathleen  
Donnellan,—  
sick leave.

By Representative Gordon of Bedford, for the committee on Public Service, on House, No. 3738, a Bill establishing a sick leave bank for David Benway, an employee of the Massachusetts Maritime Academy (House, No. 3739).

David  
Benway,—  
sick leave.

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

*Order.*

On motion of Mr. Mariano of Quincy,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o’clock A.M.

Next  
sitting.

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At nine minutes after eleven o’clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o’clock A.M.