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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**THURSDAY, DECEMBER 14, 2023.**

[114]

# JOURNAL OF THE HOUSE.

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Thursday, December 14, 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 Garballey of Arlington, Armini of Marblehead, Howard of Lowell, Michlewitz of Boston, Blais of Deerfield, Elliott of Lowell, Mom of Lowell, Hamilton of Methuen, Zlotnik of Gardner, and Garry of Dracut the members, guests and employees stood in a moment of silent tribute in respect to the memory of Dean Joseph Bergeron who passed away on December 9th. He is survived by his three sons, Michael, Matthew, and Don, and his dearest friend, his caretaker, Jose.

Dean Joseph  
Bergeron.

In 1965 Dean received a teaching appointment at Lowell State College-the future South Campus of UMass Lowell-where he taught history and political science for more than 40 years. Over that time he was deeply involved in the peace movement and the creation of a Franciscan community called Bethany House that provided hospice care for AIDs patients in the late 1980s. In 1984, Dean started the initiative that he is best known for and the one for which he was most proud- Lowell's Model United Nations program. Dean Bergeron dedicated his life to the intellectual, spiritual, and personal growth of young people.

## *Statement of Representative Nguyen of Andover.*

A statement of Ms. Nguyen of Andover 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 called away from the House Chamber during the sitting of September 27, 2023, during consideration of line-item veto overrides for the Fiscal Year 2024 Budget, due to a family emergency. If I had been present, I would have voted yea on roll call numbers 37 to 57, inclusive. My missing of roll calls was due entirely to the reason stated.

Statement of  
Ms. Nguyen  
of Andover.

## *Resolutions.*

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

Resolutions (filed by Representative Day of Stoneham) congratulating Jeffrey A. Locke on his retirement as Chief Justice of the Trial Court; and

Jeffrey  
Locke.

Resolutions (filed by Representative McGonagle of Everett) congratulating Elizabeth Veronica McNeil on her one hundredth birthday;

Elizabeth  
McNeil.

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. Howard of Lowell, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Annual Report.*

The annual report of the Department of Mental Health (under Section 9 of Chapter 321 of the Acts of 2008) relative to the Children's Behavioral Health Advisory Council for calendar year 2023, was placed on file.

Economic  
Development  
Planning Council.

*Petitions.*

Petitions severally were presented and referred as follows:

By Representative Cusack of Braintree and Senator Timilty, a joint petition (accompanied by bill, House, No. 4214) of Mark J. Cusack, Walter F. Timilty and John F. Keenan (by vote of the town) that the city known as the town of Braintree be authorized to provide for the retirement of William R. Cushing Jr., a police officer in said city;

Braintree,—  
William  
Cushing Jr.

By Representative Smola of Warren and Senator Oliveira, a joint petition (accompanied by bill, House, No. 4215) of Todd M. Smola and Jacob R. Oliveira (by vote of the town) that the town of Warren be authorized to continue the employment of Steven Perkins, a member of the fire department of said town; and

Warren,—  
Steven Perkins.

By Representative Vaughn of Wrentham, a petition (accompanied by bill, House, No. 4216) of Marcus S. Vaughn (by vote of the town) that the town of Plainville be authorized to appoint retired police officers as special police officers in said town.

Plainville,—  
special  
police.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Arena-DeRosa of Holliston, a petition (subject to Joint Rule 12) of James C. Arena-DeRosa for legislation to establish a sick leave bank for Tahari Johnson, an employee of the Trial Court.

Tahari  
Johnson,—  
sick leave.

By Representative Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato relative to regulation of organ transplant vehicles by the Department of Public Health.

Organ  
transplant  
vehicles.

By Representative Frost of Auburn, a petition (subject to Joint Rule 12) of Paul K. Frost and Ryan C. Fattman that the Worcester County Retirement Board be authorized to credit Curtis Meskus, a member of the Worcester regional retirement system, with creditable service for certain active duty service.

Curtis  
Meskus,—  
creditable  
service.

By Representative Haggerty of Woburn, a petition (subject to Joint Rule 12) of Richard M. Haggerty relative to charter school expansion.

Charter school  
expansion.

By Representative John Francis Moran of Boston, a petition (subject to Joint Rule 12) of John Francis Moran relative to the right of students to freedom of expression in public schools.

Public school  
Students,—  
rights.

By Representative Roy of Franklin, a petition (subject to Joint Rule 12) of Jeffrey N. Roy relative to electric grid enhancement technologies.  
Severally, under Rule 24, to the committee on Rules.

Electric grid technologies.

*Papers from the Senate.*

A Bill changing the position of town clerk in the town of Wenham from an elected position to an appointed position (Senate, No. 2524) (on Senate bill No. 2387) [Local Approval Received] (Representative DuBois of Brockton, of the committee on Municipalities and Regional Government, dissenting), passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wenham,—  
town clerk.

A petition (accompanied by bill) of Pavel M. Payano and Estela A. Reyes for legislation to establish a sick leave bank for Seila Chhav, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Seila Chhav,—  
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2525) was referred, in concurrence, to the committee on the Judiciary.

The following notice was received from the Clerk of the Senate:—

December 11, 2023

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

Dear Mr. Clerk:

I have the honor to inform you that the Honorable Bruce E. Tarr, Minority Leader of the Senate made the following changes/appointments to the various Senate standing committees and Joint standing committees:

SENATE COMMITTEES.

*Ways and Means* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Bruce E. Tarr of First Essex and Middlesex.

Senate standing committees.

*Juvenile and Emerging Adult Justice* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Bruce E. Tarr of First Essex and Middlesex.

*Personnel and Administration* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Patrick M. O'Connor of First Plymouth and Norfolk.

*Post Audit and Oversight* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Patrick M. O'Connor of First Plymouth and Norfolk.

JOINT COMMITTEES.

*Community Development and Small Businesses* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Patrick M. O'Connor of First Plymouth and Norfolk.

Joint  
standing  
committees.

*Economic Development and Emerging Technology* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Patrick M. O'Connor of First Plymouth and Norfolk.

*Public Health* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Patrick M. O'Connor of First Plymouth and Norfolk.

*Cannabis Policy* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Ryan C. Fattman of Worcester and Hampden.

*Elder Affairs* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Ryan C. Fattman of Worcester and Hampden.

*Tourism, Arts and Cultural Development* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Ryan C. Fattman of Worcester and Hampden.

*Municipalities and Regional Government* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Bruce E. Tarr of First Essex and Middlesex.

*State Administration and Regulatory Oversight* — Senator Peter J. Durant of Worcester and Hampshire to replace Senator Bruce E. Tarr of First Essex and Middlesex.

Respectfully,  
MICHAEL D. HURLEY  
*Clerk of the Senate.*

#### *Reports of Committees.*

Mr. Michlewitz of Boston, for the committee on Ways and Means, reported that the Bill protecting the right to time off for voting (House, No. 4153), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4217). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Voting,—  
time off.

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

Under suspension of said rule, 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 under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4217) then was sent to the Senate for concurrence.

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

Senate bills

Providing for the retirement of Walter L. Guertin, a member of the fire department in the city of Attleboro (Senate, No.1677) [Local Approval Received];

Attleboro,—  
Walter Guertin.

Establishing a sick leave bank for Rene Perez, an employee of the Department of Developmental Services (Senate, No. 2452); and

Rene Perez,—  
sick leave.

Establishing a senior property tax deferral program in the city of Taunton (Senate, No. 2517) [Local Approval Received]; and

Taunton,—  
tax deferrals.

House bills

Relative to the Auburn Water District (House, No. 2049, changed) [Local Approval Received];

Auburn Water  
District.

Authorizing the town of Holliston to continue the employment of Mark Dellicker as deputy fire chief until a maximum age of 70 (House, No. 3998) [Local Approval Received]; and

Holliston,—  
Mark Dellicker.

Authorizing the town of Westford to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4188) [Local Approval Received];

Westford,—  
liquor license.

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

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 4209, a Bill creating a sick leave bank for Kelly Wheeler, an employee of the Department of Developmental Services (House, No. 4213). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kelly  
Wheeler,—  
sick leave.

#### *Orders of the Day.*

House bills

Authorizing Gregory S. Shopshire to purchase creditable service from the Barnstable County Retirement Board (House, No. 3642);

Third  
reading  
bills.

Authorizing Jeffrey H. Jackson to purchase creditable service from the Barnstable County Retirement Board (House, No. 3644);

Authorizing the Board of Selectmen of the town of Rockland to serve as cemetery commissioners for the town of Rockland (House, No. 4010);

Authorizing certain investments by the treasurer of the town of Norton (House, No. 4039);

Authorizing the town of West Stockbridge to continue the employment of Steven Traver as fire chief (House, No. 4196); and

Authorizing the town of Richmond to continue the employment of Steven Traver as fire chief (House, No. 4197);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 eight minutes before twelve o'clock noon, on motion of Mrs. Kane of Shrewsbury (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.