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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, FEBRUARY 1, 2023.**

[11]\*

# JOURNAL OF THE HOUSE.

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Wednesday, February 1, 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.*

At the request of Representatives Rogers of Norwood, McMurtry of Dedham, Philips of Sharon and Vaughn of Wrentham, the members, guests and employees stood in a moment of silent tribute for Clifton K. Snuffer Jr., a longtime local elected official in the town of Walpole, who passed away on Monday, January 23, 2023 after a valiant battle with cancer.

Clifton K.  
Snuffer Jr.

Cliff served as town meeting representative for 36 years, as well as the Walpole Finance Committee, Capital Budget Committee, and Cable Advisory Committee, before serving two terms as a Select Board member between 2008 and 2016. He was instrumental in the completion of new police, fire, and DPW stations, as well as his beloved Senior Center.

He leaves behind his five children, nine grandchildren, and four great-grandchildren. He will be deeply missed by the entire community of Walpole.

## *Resolutions.*

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

Resolutions (filed by Representative Galvin of Canton) commending the Titus family for their contributions to the community fabric of the town of Canton; and

Titus  
family.

Resolutions (filed by Mr. Soter of Bellingham) congratulating William F. Delaney on fifty years of teaching at Bellingham public schools;

William  
Delaney.

Mr. Galvin of Canton, for the temporary 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 Mr. Philips of Sharon, the resolutions (having been certified by House Counsel to be correctly drawn) were considered forthwith; and they were adopted.

## *Recess.*

At seven minutes after eleven o'clock A.M., on motion of Mrs. Kane of Shrewsbury (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty-three minutes before two o'clock the House was called to order with the Speaker in the Chair.

Recess.

*Report of a Committee.*

Mr. Galvin of Canton, for the temporary committee on Rules, reported, that the House Resolutions relative to declaring that Kristin E. Kassner was duly elected Representative to the General Court (printed in House, No. 53, App. G), ought to be adopted. Under suspension of the rules, on motion of Mr. Day of Stoneham, the resolutions were considered forthwith.

Second  
Essex  
District.

After remarks on the question on adoption of the resolutions, Mr. Jones of North Reading moved to amend them by substitution of the following order:

*“Ordered,* that the Special House Committee to Examine the Return of Votes for Certain Representative Districts which was established on January 4, 2023, be hereby immediately revived for the purposes of examining the ballots in question in order to make a determination as to whether Kristin Kassner or Leonard Mirra has been properly elected or the Second Essex District has failed to elect a representative.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 23 members voted in the affirmative and 128 in the negative.

Amendment  
rejected,—  
yea and nay  
No. 1.

**[See Yea and Nay No. 1 in Supplement.]**

[Representatives Cataldo of Concord, Mirra of Georgetown and Sullivan-Almeida of Abington answered “Present” in response to their names.]

Therefore the amendment was rejected.

The same member then moved to amend the resolutions by substitution of the following order:

*“Ordered,* that the Speaker issue a precept giving notice that a vacancy exists in the membership of the House from the Second Essex District, and appoint a time for an election to be held in said district for the purposes of filling that vacancy.”

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Frost of Auburn; and on the roll call 22 members voted in the affirmative and 129 in the negative.

Amendment  
rejected,—  
yea and nay  
No. 2.

**[See Yea and Nay No. 2 in Supplement.]**

[Representatives Cataldo of Concord, Mirra of Georgetown and Sullivan-Almeida of Abington answered “Present” in response to their names.]

Therefore the amendment was rejected.

On the question on adoption of the resolutions, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 129 members voted in the affirmative and 22 in the negative.

Resolutions  
adopted,—  
yea and nay  
No. 3.

**[See Yea and Nay No. 3 in Supplement.]**

[Representatives Cataldo of Concord, Mirra of Georgetown and Sullivan-Almeida of Abington answered “Present” in response to their names.]

Therefore the resolutions were adopted.

*Orders of the Day.*

The final report (on the residue) of the special committee of the House to examine the returns of the votes for Representative in the several Representative Districts of the Commonwealth relative to the Second Essex District (House, No. 53), was accepted.

Second Essex  
District.

The House Order for the adoption of permanent House Rules for the 193<sup>rd</sup> General Court governing the 2023-2024 Legislative Session (House, No. 2023), was considered.

House  
Rules.

After debate on the question on adoption of the order, Ms. Uytterhoeven of Somerville moved to amend it in proposed Rule 17B, in lines 522 to 525, inclusive, by striking out the following: “the aggregate tally of members voting in the affirmative, members not voting or members reserving their rights, and the names of members voting in the negative on an individual bill, and shall be posted on the website of the General Court within 48 hours of the vote for public inspection.”; and by inserting after line 522 the following paragraph:

“All votes by the committee to give any legislation a favorable report, adverse report, or study order, whether by recorded vote at an executive session or by an electronic poll of the committee, shall be recorded on appropriate forms that show the names of all members voting in the affirmative, members voting in the negative, members not voting, and members reserving their rights, shall be kept in the offices of the committee, and shall be posted on the website of the General Court as soon as practicable; provided that votes may also be recorded in LAWS.”.

The amendments were rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order in the second paragraph of Rule 33A by adding the following four sentences: “All amendments submitted to the Clerk after a formal session is called to order shall be made available by electronic means to all members of the House and the public; and provided further a duplicate copy of each such amendment shall be distributed to each member’s seat in the chamber. No technical or perfecting amendment shall be considered by the House until the expiration of at least 30 minutes after the amendment shall have been filed with the Clerk and distributed to the members. The House may consider an amendment that has not been so available for at least 30 minutes only upon a roll call vote of two-thirds of House members present and voting. This rule shall not be suspended unless by unanimous consent of the members present.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call (Ms. Hogan of Stow being in the Chair) 23 members voted in the affirmative and 130 in the negative.

Amendment  
rejected,—  
yea and nay  
No. 4.

**[See Yea and Nay No. 4 in Supplement.]**

Therefore the amendment was rejected.

The same members then moved to amend the order in proposed Rule 33E, in line 1023, and in proposed Rule 101, in line 2334, by striking out the following: “30 minutes” and inserting in place thereof, in each instance, the following: “1 hour”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Smola of Warren; and on the roll call 23 members voted in the affirmative and 130 in the negative.

Amendments  
rejected,—  
yea and nay  
No. 5.

**[See Yea and Nay No. 5 in Supplement.]**

Therefore the amendments were rejected.

Mr. Smola of Warren then moved to amend the order in proposed Rule 18, in line 575, by inserting after the word “Means,” the word “two”; and in line 576 by striking out the word “member”, the first time it appears, and inserting in place thereof the word “members”. The amendments were adopted.

Representatives Jones of North Reading and other members of the House then moved to amend the order in proposed Rule 101, in lines 2214 and 2215, by striking

out the words “one employee” and inserting in place thereof the words “two employees”; and the amendment was adopted.

Mr. Galvin of Canton then moved to amend the order by in proposed Rule 7D, in line 125, by striking out the words “would minimize” and inserting in place thereof the word “minimizes”; and in line 129, by striking out the following: “5pm” and inserting in place thereof the following: “5:00 P.M.”

In proposed Rule 16A, in line 316, by striking out the following: “Chapter 3” and inserting in place thereof the following: “section 39 of chapter 3”

In proposed Rule 17A, in line 439, by striking out the word “were” and inserting in place thereof the word “was”;

In proposed Rule 17C, in line 555, by striking out the words “positions and” and inserting in place thereof the words “positions,”;

In proposed Rule 20A, in lines 703 and 704, by striking out the words “; and provided further, that notwithstanding the provisions of Rule 33A”;

In proposed Rule 24, in line 833, by striking out the word “clauses” and inserting in place thereof the word “subsections” and by striking out the following: “of subsection (2)”;

In proposed Rule 33A, in line 990, by inserting after the word: “than” the following: “12:00”, in line 1001, by striking out the word “clerk” and inserting in place thereof the word “Clerk”;

In proposed Rule 101, in line 2159, by inserting after the word “Representatives” the words “as provided within this rule”; in line 2191, by striking out the word “Commonwealth” and inserting in place thereof the word “Commonwealth.”; in line 2195, by striking out the following: “(3)” and inserting in place thereof the following: “(4)”;

in line 2294, by striking out the words “Standing Rules” and inserting in place thereof the words “standing rules”; in line 2361, by striking out the words “webcast live” and inserting in place thereof the word “livestreamed”; and in line 2365, by inserting after the word “Remote” the word “Rule”.

The amendments were adopted.

On the question of adoption of the order, as amended, the sense of the House was taken by yeas and nays, at the request of Mr. Galvin of Canton; and on the roll call 153 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 6 in Supplement.]**

Therefore the order (House, No. 2024, published as amended) was adopted. Sent to the Senate for concurrence.

Order adopted,—  
yea and nay  
No. 6.

The House Order for the adoption of permanent Joint Rules for the 193rd General Court governing the 2023-2024 Legislative Session (House, No. 2025), was considered.

Joint  
Rules.

After debate on the question on adoption of the order, Ms. Uytterhoeven of Somerville moved to amend it in proposed Rule 1D, in lines 180 to 188, inclusive, by striking out the text contained in those lines and inserting in place thereof the following paragraph:

“Committees shall provide to members of the committee either the text or comprehensive summaries of the bills or other forms of legislative matters prior to the beginning of an executive session or poll. Any recorded votes on a favorable or adverse report on an individual bill or a study order, taken by roll call or electronic poll of each member, shall be posted on the website of the General Court.”

The amendment was rejected.

Representatives Jones of North Reading and other members of the House then moved to amend the order by inserting after proposed Rule 36 the following rule:

“Rule 37. Not later than March 31st of each year, the house and senate shall approve a joint resolution declaring the minimum amount of aid to be distributed to the cities and towns of the commonwealth in the upcoming fiscal year. Said resolution shall declare the minimum amount of chapter 70 aid, so called, and unrestricted general government aid to be received by each city, town or school district.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Frost of Auburn; and on the roll call 23 members voted in the affirmative and 130 in the negative.

**[See Yea and Nay No. 7 in Supplement.]**

Therefore the amendment was rejected.

The same members then moved to amend the order in proposed Rule 1D, in line 184, by striking the following: “72 hours” and inserting in place thereof the words “one week.”

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Smola of Warren; and on the roll call 24 members voted in the affirmative and 129 in the negative.

**[See Yea and Nay No. 8 in Supplement.]**

Therefore the amendment was rejected.

On the question of adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Galvin of Canton; and on the roll call 153 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 9 in Supplement.]**

Therefore the order (House, No. 2025) was adopted. 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.

Amendment  
rejected,—  
yea and nay  
No. 7.

Amendment  
rejected,—  
yea and nay  
No. 8.

Order  
adopted,—  
yea and nay  
No. 9.

Next  
sitting.

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At fourteen minutes after four o’clock P.M., on motion of Mr. Jones of North Reading (Ms. Hogan of Stow being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.