

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, OCTOBER 22, 2018.

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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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Light and Warmth, we pray for Your gifts of Grace to come upon our women and men of this elected body and upon all who work throughout the House of Representatives.

Prayer.

We remember that it was on this day in 1844 that tens of thousands of people in Massachusetts anticipated the end of the world.

Rev. William Miller, who was born in Pittsfield, claimed to have calculated the "Day of Reckoning" by his own interpretation of biblical texts. Over years of preaching throughout the Northeast, many people known as "Millerites" came to trust him. They believed his prophecy and sold their belongings at a great loss and went out to various mountain and hilltops to await the apocalypse of October 22.

Most citizens of the Commonwealth were of course skeptical. The Reverend Theodore Parker was reported as saying, "The End of the World does not concern me as I live in Boston."

As the next day dawned, the "Day of Atonement" came to be called the "Day of Disappointment" and most people returned to their mundane tasks at hand and rejoined their local church congregations. Others however continued to believe in the basics of Miller's teachings and eventually formed themselves into the Seventh Day Adventist Church.

May God continue to bless our Commonwealth.

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.

Message from the Governor – Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill providing for the annual appointment of a treasurer of the Lancaster sewer district [see House, No. 3217, amended] (for message, see House, No. 4937), was filed in the office of the Clerk on Friday, October 19.

Lancaster
sewer district.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Appointment of the Speaker.

The Speaker announced that he had appointed Representative Tyler of Boston to the panel on justice-involved women established (under Section 223(a) of Chapter 69 of the Acts of 2018) to review and report on the impact of said law and other criminal laws on women and to make recommendations on gender-responsive and trauma-informed approaches to address the pretrial, incarceration and rehabilitation needs of justice-involved women.

Justice-
involved
women panel.

Resolutions.

Resolutions (filed with the Clerk by Mr. Murray of Milford) recognizing the Milford Portuguese Club, Inc. on its one hundredth anniversary, were referred under Rule 85, to the committee on Rules.

Milford
Portuguese
Club.

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

Communication.

A communication from the Human Resources Division of the Executive Office for Administration and Finance (see the provisions of Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service police promotional series eligible lists which have been revoked by the Personal Administrator as of October 1, 2018, was placed on file.

Civil
service
lists.

Report.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through September 2018, was placed on file.

Unemployment
Trust Fund.

Petition.

Ms. Peisch of Wellesley presented a petition (subject to Joint Rule 12) of Alice Hanlon Peisch for legislation to establish a sick bank for Yin Yu-Wong, an employee of the Massachusetts Rehabilitation Commission; and the same was referred, under Rule 24, to the committee on Rules.

Yin Yu-Wong,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Paper from the Senate.

A Bill establishing a sick leave bank for Laurie Wendover, an employee of the Department of Correction (Senate, No. 2083, amended in lines 4, 5 and 6 by striking out the sentence contained in those lines) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Laurie
Wendover,—
sick leave.

Reports of a Committee.

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

The Senate Bill creating senior tax relief in the town of Carver (Senate, No. 2670); and

Carver,—
senior tax relief.

The House Bill providing for the recall of elected officials in the town of Hanson (House, No. 4657) [Local Approval Received];

Hanson,—
elected officials.

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

Emergency Measure.

The engrossed Bill supporting the Mohawk Trail Woodland Partnership (see House, No. 4880, 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.

Mohawk Trail
Woodland
Partnership.

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 5 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (see Senate, No. 2661) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed bills

Exempting the position part-time officer in the police department in the town of Athol from the civil service law (see House, No. 4146);

Bills
enacted.

Authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (see House, No. 4675, amended);

Relative to the disability retirement of public safety personnel in the city of Quincy (see House, No. 4719);

UNCORRECTED PROOF.

Providing for the financial stability of the city of Methuen (see House, No. 4905, changed and amended);

(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.

Reconsideration.

Mr. Speliotis of Danvers moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the Senate Bill further regulating the membership of the licensing commission and the board of election commissioners of the city of Somerville (Senate, No. 2294, amended); and the motion to reconsider was considered forthwith; and it prevailed.

Somerville,—
commissions.

The same member then moved that the vote be reconsidered by which the House adopted an amendment (offered by Mr. Speliotis); and the motion to reconsider prevailed.

On the recurring question, the amendment was rejected.

Mr. Speliotis of Danvers then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. The second sentence of section 1 of chapter 191 of the acts of 1923, as appearing in section 1 of chapter 190 of the acts of 1939, is hereby repealed.

SECTION 2. Section 2 of chapter 190 of the acts of 1939 is hereby repealed.

SECTION 3. Notwithstanding any general or special law to the contrary, the licensing commission of the city of Somerville shall consist of 3 persons who shall be appointed without regard to political affiliation.

SECTION 4. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (Senate, No. 2294, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the House amendment.

Orders of the Day.

The Senate amendment of the House Bill revising the charter for the city of Melrose (House, No. 4464), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Melrose,—
charter.

House bills

Designating a certain bridge in the town of West Boylston as the Specialist Kyle A. Little memorial bridge (House, No. 4904) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Relative to the health insurance and other benefits in the town of East Brookfield (House, No. 4924);

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.

The House Bill establishing a town manager form of government for the town of Pembroke (House, No. 4607), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pembroke,—
town
manager.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 4, in line 103, by striking out the word “executive”;

In section 5, in lines 226 and 227, by striking out the following: “(a) and (b) above” and inserting in place thereof the following: “subsections (A) and (B) of this section”;

In section 6, in lines 231 and 232, by striking out the following: “with a minimum of four (4) affirmative votes”; and

By striking out section 7 and inserting in place thereof the following section:
“SECTION 7. DEPARTMENT OF PUBLIC WORKS

A. There shall be an elected board of commissioners for the department of public works, hereinafter in this section called the board, consisting of 3 members serving 3-year, staggered terms. The incumbent commissioners shall remain in office, subject to re-election, as their terms expire.

B. Under the direction of the director of public works, the department of public works shall continue to carry out and have all of the duties and responsibilities of the town’s highway, cemetery, tree and park divisions or departments. Except as provided in subsection D below, the department of public works shall have all of the powers, duties and responsibilities of the existing department.

C. There shall be a director of public works, appointed by the town manager. The director of public works and town manager shall consult with the board for the purpose of receiving advice and assistance in the development of policy guidelines for the operation of the department of public works. The board shall perform such other advisory functions related to the department of public works as the director of public works or town manager may request; provided however, that nothing in this section shall authorize any member of the board, nor a majority of such members, to become involved in the day-to-day administration of the department of public works.

D. Notwithstanding the subsections above, the board shall continue to function as a board of water commissioners. In that capacity the board shall to continue to exercise all of the authority and shall continue to have all of the duties and responsibilities of the existing board of water commissioners. The board shall continue to set water rates and maintain the water enterprise fund.

E. The vote of the town at the 1991 town election regarding article 67 is hereby rescinded.”.

The amendments were adopted; and the bill (House, No. 4607, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

UNCORRECTED PROOF.

At twenty-three minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.