
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 5, 2019.

[129]

JOURNAL OF THE HOUSE.

Thursday, December 5, 2019.

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 Prayer.

At the request of Messrs. Walsh of Peabody and Speliotis of Danvers, the members, guests and employees stood in a moment of silent tribute to the memory of Cara Murtagh, a life-long Peabody resident and dedicated educator for over 23 years, who passed away during the Thanksgiving holiday. Cara dedicated her entire professional career to promoting the importance of education; starting as a first grade teacher at St. John the Baptist School in Peabody, then as a teacher in the Peabody Public School system. She went on to serve as Principal at the Center Elementary School before moving to the Carroll School where she was Principal for many years. Cara was named Assistant Superintendent where she served for several years until she was appointed the Superintendent of Schools last year. Superintendent Murtagh quickly earned the trust and admiration of her 6,000 students and their parents, as well as the respect of the nearly 1,000 staff members of the Peabody Public School System.

Cara
Murtagh.

Cara lived her life fighting for the welfare of her students. She was a mentor to many and a friend to all. Her short life still leaves a long legacy of kindness, compassion and caring for all to emulate.

Ms. Murtagh is survived by her mother Carol, her sister Kim, as well as her brother Sean and his wife Colleen, along with her niece and nephews.

Resolutions.

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

Resolutions (filed by Ms. Peisch of Wellesley) honoring Donna Keene Hazard for her five years of dedicated service as the Chair of the New England Aquarium Board of Trustees;

Donna
Keene
Hazard.

Resolutions (filed by Messrs. Roy of Franklin and Murray of Milford) congratulating Cole E. Fennyery on receiving the Eagle Award of the Boy Scouts of America; and

Cole
Fennyery.

Resolutions (filed by Messrs. Roy of Franklin and Murray of Milford) congratulating Ethan M. Fennyery on receiving the Eagle Award of the Boy Scouts of America;

Ethan
Fennyery.

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 Mr. Walsh of Peabody, 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 Comptroller providing an updated status on the filing of the 2019 Statutory Basis Financial Report, which has been delayed pending passage of the supplemental appropriation bill;

Statutory Basis
Financial
Report.

From the Human Resources Division of the Executive Office for Administration and Finance (see Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service fire promotional series eligible lists that have been revoked by the Personnel Administrator as of November 1, 2019;

Civil
service
lists.

From the Department of Public Utilities (see Section 12Q of Chapter 25 of the General Laws) submitting the Energy Facilities Siting Board Trust Fund report of the department's financial activities from December 1, 2018 to November 25, 2019;

Energy
Facilities
Siting Board.

From the Department of Public Utilities (see Section 12R of Chapter 25 of the General Laws) submitting the Unified Carrier Registration Trust Fund report of the department's financial activities from December 1, 2018 to November 25, 2019;

Unified Carrier
Registration.

From the Massachusetts Department of Transportation relative to the progress of the Transportation Asset Management Plan; and

MassDOT.

From the Department of Telecommunications and Cable (see Section 6 of Chapter 25C of the General Laws) submitting the annual report for said department for the fiscal year 2019;

Telecommunica-
tions and Cable.

Severally were placed on file.

Annual Reports.

Annual reports

Of the Martha's Vineyard Transit Authority (under 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 the fiscal year 2019; and

Martha's
Vineyard
transit.

Of the Merrimack Valley Regional Transit Authority (under 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 the fiscal year 2019;

Merrimack
Valley
transit.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Messrs. Hecht of Watertown and Lawn of Watertown, a petition (accompanied by bill, House, No. 4241) of Jonathan Hecht, John J. Lawn, Jr., and William N. Brownsberger (with the approval of the town council) that the city known as the town of Watertown be authorized to grant fifteen additional licenses for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Watertown,—
liquor
licenses.

By Mr. Muratore of Plymouth, a petition (accompanied by bill, House, No. 4242) of Mathew J. Muratore and Kathleen R. LaNatra (by vote of the town) relative to the appointment of retired police officers as special police officers in the town of Plymouth. To the committee on Public Service.

Plymouth,—
special
police.

Severally sent to the Senate for concurrence.

Mr. Puppolo of Springfield presented a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., relative to insurance coverage for certain dental benefits; and the same was referred, under Rule 24, to the committee on Rules.

Dental
insurance.

Paper from the Senate.

A petition of Dean A. Tran for legislation relative to safety at public events, came from the Senate with the endorsement that it had been referred, under suspension of Joint Rule 12, to the committee on Public Safety and Homeland Security.

Disguises,—
penalties.

The House then concurred with the Senate in the suspension of said rule; and, on motion of Ms. Cronin of Easton, the petition (accompanied by bill, Senate, No. 2435) was referred, in non-concurrence, to the committee on the Judiciary. Sent to the Senate its action.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Joint petition (accompanied by bill) of Josh S. Cutler and Michael D. Brady for legislation to establish a sick leave bank for Karyn Buckley, an employee of the Trial Court; and

Karyn
Buckley,—
sick leave.

Petition (accompanied by bill) of Shawn Dooley relative to the identification of persons involved in automobile and motorcycle accidents by news media organizations;

Crashes,—
identification.

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of John Barrett, III relative to the maintenance of partition fences. To the committee on Municipalities and Regional Government.

Fences,—
maintenance.

Petition (accompanied by bill) of Donald R. Berthiaume, Jr., for legislation to establish a sick leave bank for Amy Glidden, an employee of the Department of Children and Families. To the committee on Public Service.

Amy
Glidden,—
sick leave.

Under suspension of the rules, on motion of Mr. Walsh of Peabody, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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

Authorizing the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements (Senate, No. 1971, amended); and

Worcester
County,—
school district.

Authorizing the town of North Andover to grant an additional liquor license (Senate, No. 2353) [Local Approval Received];

North
Andover,—
liquor license.

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

By Ms. Balser of Newton, for the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 623) of Norman J. Orrall and others relative to authorizing spouses to be caregivers in the adult foster care and personal attendant programs,— and recommending that the same be referred to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Caregivers,—
spouses.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to parking and pedestrian safety (House, No. 1779). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Parking,—
safety.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill to improve the local infrastructure development program (House, No. 1759).

Infrastructure,—
improvement.

By the same member, for the same committee, on a petition, a Bill supporting affordable housing with a local option for a fee to be applied to certain real estate transactions (House, No. 1769).

Affordable
housing.

By the same member, for the same committee, on a petition, a Bill relative to tax title expense (House, No. 1777).

Tax titles.

By the same member, for the same committee, on a petition, a Bill providing for the establishment of sustainable water resource funds (House, No. 1781).

Water
infrastructure.

By the same member, for the same committee, on a petition, a Bill relative to regional stabilization funds (House, No. 1782).

Regional
stabilization.

By the same member, for the same committee, on a petition, a Bill relative to variances (House, No. 1799).

Zoning
variances.

By the same member, for the same committee, on a petition, a Bill [sic] city of Chelsea Affordable Housing Trust Fund Board (House, No. 4155) [Local Approval Received].

Chelsea,—
board.

By the same member, for the same committee, on a joint petition, a Bill relative to the charter of the town of Westwood (House, No. 4166) [Local Approval Received].

Westwood,—
charter.

By the same member, for the same committee, on a petition, a Bill providing for alternate members of the conservation commission of the town of Clinton (House, No. 4167) [Local Approval Received].

Clinton,—
commission.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Mashpee to convey certain town owned conservation land to Mark and Donna Lopez (House, No. 4191) [Local Approval Received].

Mashpee,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city known as the town of Greenfield to lease a certain parcel of land (House, No. 4198) [Local Approval Received].

Greenfield,—
land.

By the same member, for the same committee, on a joint petition, a Bill providing for the renaming of the board of selectmen to select board in the town of West Boylston (House, No. 4214) [Local Approval Received].

West
Boylston,—
select board.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, ought NOT to pass, on the petition (accompanied by bill, House, No. 1807) of Marc T. Lombardo and Shaunna L. O'Connell for legislation to prohibit cities or towns from failing to enforce federal immigration laws by designating themselves as sanctuary cities and to withhold unrestricted general government aid to cities and towns for non-compliance. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Sanctuary cities.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Erica Moore, an employee of the Hogan Regional Center in the Department of Developmental Services (see House, No. 4111), 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.

Erica Moore,—
sick leave.

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 3 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 enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Establishing a select board in the town of Northfield (see House, No. 3907);

Exempting all uniformed positions in the fire department of the town of Acushnet from the civil service law (see House, No. 3916);

Authorizing the town of Williamsburg to continue the employment of Michael Wayne, a member of the police department of the town of Williamsburg (see House, No. 3955, amended);

Authorizing the town of Gill to continue the employment of Gene M. Beaubien (see House, No. 4055);

Authorizing the city of Fitchburg to employ Kevin D. Roy as fire chief beyond the retirement age (see House, No. 4071); and

Authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4086);

(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.

Bills enacted.

Orders of the Day.

House bills

Exempting certain positions in the police department of the town of Plainville from the civil service law (House, No. 4054); and

Authorizing the city of Salem to convert a license for the sale of wine and malt

Third reading bills.

beverages to be drunk on the premises to a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4117);

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 authorizing the granting of 1 additional license for the sale of all alcoholic beverages, not to be drunk on the premises, in the city of Methuen (House, No. 4142) (its title having been changed by the committee on Bills in the Third Reading), was read a third time.

Methuen,—
liquor
license.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 4, by inserting after the word “Massachusetts.” (as published) the following sentence: “Prior to the issuance of said license, the licensing authority shall hold a public hearing relative to the suitability of the issuance of said license.” The amendment was adopted.

The bill (House, No. 4142, amended) then was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-two minutes before six o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill establishing additional powers for municipal light boards (see House, No. 4069), 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.

Municipal
light boards.

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 2 to 0. 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 tomorrow at one o'clock P.M.

Next
sitting.

Representative Ferrante of Gloucester then moved that when the House adjourns today, it do so in respect to the memory of David E. Harrison, a member of the House from Gloucester from 1963 to 1970, inclusive; and the

motion prevailed.

Accordingly, at twenty-one minutes before six o'clock P.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at one o'clock P.M., in an Informal Session.