
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, OCTOBER 24, 2022.

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Monday, October 24, 2022.

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.

During the session, the Chair (Mr. Garballey of Arlington), declared a brief recess, and at the request of Representatives Howitt of Seekonk and Barrows of Mansfield the members, guests and employees stood for a moment of silent tribute in respect to the memory of Bobby Salvo who passed away unexpectedly on June 21, 2022 at the age of sixty-three.

Bobby Salvo.

Born on December 28, 1958 in Stoughton to his late parents John and Helen, Bobby grew up in Easton and later made his home in Norton, where he raised his family and proudly founded S & L Construction, a family business he owned and operated for thirty-five years. He was a longtime member of the Norton Housing Authority, and formerly served as a member of the Norton Recreation Commission and Norton Lions Club. He also served as a Norton Call Firefighter and a Special Police Officer in the Town of Easton. Most notably, he will be remembered for serving 15 years on the Norton Select Board where he cemented his legacy as a pragmatic and dedicated public servant. He served with humility and was truly a man for others. As Bill Gouveia of the Sun Chronicle wrote about Salvo, "He did not promote himself or seek to glorify his own service. Bobby was someone that 'did the job' and didn't seek to be recognized for that accomplishment."

In his spare time, Bobby cultivated many hobbies including cooking, grilling, gardening, and motorcycling. Above all else, Bobby enjoyed spending time with his loving family. His passing has left a void in the hearts of all who knew him. Bobby will be dearly missed by his wife of nearly 41 years, Dawn M. Salvo, his children (Ryan, Robert Jr., and Courtney, and their spouses), his brothers and sisters, friends, and his 7 adoring grandchildren (Dante, Paisley, Brayden, Brody, Elliana, Kinsley and Blake), who were the twinkle in his eye.

Special Recognition.

During the session, the Chair (Mr. Garballey of Arlington) declared a brief recess, turned the gavel over to Representative Howard of Lowell, and at the request of the House Asian Caucus, Mr. Wong of Saugus, Mr. Chan of Quincy, Mr. Schmid of Westport, Mr. Mom of Lowell, Ms. Nguyen of Andover, Ms. Howard of Lowell and Ms. Uytterhoeven of Somerville the Speaker and all of the Members of the House recognized and honored Diwali, the "Festival of Lights", which symbolizes the

Diwali.

victory of good over evil. This year, Diwali falls on Monday, October 24th, in accordance with the lunar calendar, and typically lasts for five days. Those who celebrate this holiday light diyas, small oil lamps, place them around the home, and pray for knowledge, peace, and universal well-being. Diwali brings together family, friends, and communities in goodwill and peace. It is a time for charitable giving and selfless service. Diwali has great significance for over one billion Hindus, Jains, Sikhs, and Buddhists in the Commonwealth, the United States, India, and around the world.

The House extended its gratitude to our South Asian American communities who through their traditions, values, and culture have strengthened our Commonwealth. Representative Howard then stated that the House shared in the commitment to build bridges of understanding and tear down barriers of intolerance and wished to all who observe the “Festival of Lights” a happy Diwali!

Resolutions.

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

Resolutions (filed by Mr. Day of Stoneham) recognizing November 1, 2022 as the first day of Epilepsy Awareness Month in the Commonwealth; and

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Keith A. Marden on the occasion of his one hundredth birthday;

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

Epilepsy
month.
Keith
Marden.

Communications.

Communications

From the Department of Unemployment Assistance (see Section 14F of Chapter 151A of the General Laws) submitting the October Unemployment Insurance Trust Fund Annual Outlook Report containing updated projections for estimated contributions, benefit payments, and Unemployment Insurance Trust Fund balances for the five-year Outlook Period beginning January 1, 2022 and ending December 31, 2026; and

From the Department of Revenue (see Chapter 207 of the Acts of 2018) submitting an annual review of tax expenditures;

Severally were placed on file.

Unemployment
Insurance
Trust Fund,—
outlook.

Tax
expenditures.

Reports and Quarterly Reports.

Reports

Of the Berkshire Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for fiscal years ending June 30, 2021, and June 30, 2022;

Of the Berkshire Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary

Berkshire
Transit
Authority.
Id.

information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for fiscal year ending June 30, 2022;

Of the Franklin Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for fiscal years ending June 30, 2021, and June 30, 2022;

Franklin
Transit
Authority.

Of the Franklin 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 fiscal year ending June 30, 2022;

Id.

Of the Division of Capital Asset Management and Maintenance (under Section 5(d) of Chapter 15 of the Acts of 2021) submitting the Holyoke Soldiers' Home preliminary report on Diversity, Equity, and Inclusion; and

Holyoke
Soldiers' Home.

Of the Inspector General of the Commonwealth (under Section 196 of Chapter 46 of the Acts of 2015) submitting a review of the Massachusetts Bay Transportation Authority's absence management contract with work partners;

MBTA,—
management
contracts.

Quarterly reports

The third quarterly report of the Executive Office of Public Safety and Security (under Section 2 of Chapter 35 of the Acts of 2021) submitting its Sexual Assault Evidence Collection Kit (SAECK) report for July, 2022; and

Sexual assault
evidence
collection kit.

The fourth quarterly report of the Executive Office of Public Safety and Security (under Section 2 of Chapter 35 of the Acts of 2021) submitting its Sexual Assault Evidence Collection Kit (SAECK) report for October, 2022;

Id.

Severally were placed on file.

Order.

The following order (filed by Mr. Ryan of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Saturday, December 31, 2022, within which time to make its final report on current House document numbered 5293.

Election Laws
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 5361) ought to be adopted. Under suspension of the rules, on motion of Ms. Howard of Lowell, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petition.

Mr. Cusack of Braintree presented a petition (accompanied by bill, House, No. 5362) of Mark J. Cusack, John F. Keenan and Walter F. Timilty (with the approval of the mayor and city council) relative to the retirement of Matthew Donoghue, a police officer in the city known as the town of Braintree; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Braintree,—
Matthew
Donoghue.

Papers from the Senate.

A Bill amending the charter of the town of Wareham (Senate, No. 2562) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wareham,—
charter.

A petition (accompanied by bill) of Julian Cyr and Timothy R. Whelan for legislation to establish a sick leave bank for Nicole Sumner, an employee of the Department of Youth Services, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Nicole Sumner,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 3130) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

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

The Senate Bill amending the charter of the town of Tewksbury to change the name of the board of selectmen to select board (Senate, No. 3128) [Local Approval Received]; and

Tewksbury,—
select board.

House bills

Abolishing the town of Hardwick Sewer Commission and delegating to the Select Board control over the Hardwick sewer redevelopment project (House, No. 5241) [Local Approval Received]; and

Hardwick Sewer Commission.

Providing for the appointment of a stormwater officer in the town of Rehoboth (House, No. 5282) [Local Approval Received];

Rehoboth,—
stormwater officer.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House (the time within which said committee is required to report having expired):

To establish certain employment contracts for the town of Milford (House, No. 4887) [Local Approval Received]; and

Milford,—
contracts.

Authorizing the town of Norwell to establish a means tested senior citizen property tax exemption (House, No. 5063) [Local Approval Received];

Norwell,—
senior taxes.

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

By Mr. Ryan of Boston, for the committee on Election Laws, on a petition, a Bill relative to voting precincts in the city of Revere (House, No. 5328) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Revere,—
voting precincts.

Emergency Measures.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the school department in the city of Westfield (see House, No. 5156, 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.

Westfield,—
land.

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 4 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.

The engrossed Bill establishing a sick leave bank for Molly Urquhart, an employee of the Department of Children and Families (see House, No. 5230), 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.

Molly Urquhart,—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 4 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

Further regulating the powers and duties of the fire chief of the Ware fire department (see House, No. 2774);

Bills enacted.

Designating July 8 as Massachusetts Emancipation Day also known as Quock Walker Day (see House, No. 3117); and

Separating the positions of town clerk and treasurer-tax collector in the town of Deerfield (see House, No. 4846);

Relative to step therapy (see House, No. 4929, 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.

Orders of the Day.

The Senate amendment of the House Bill exempting the positions of police chief and police captain in the city of Leominster from the civil service law (House, No. 3756), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Leominster,—civil service.

House bills

Authorizing the city of Melrose to regulate certain property tax exemption eligibility requirements for the elderly (House, No. 3767); and

Third reading bills.

Authorizing the city of Boston to grant 5 additional licenses for the sale of alcoholic beverages to be drunk on the premises of Bolling Municipal Building and Strand Theater (House, No. 5251) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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 relative to tort actions for latent diseases (House, No. 1863), was read a second time; and it was ordered to a third reading.

Second reading bill.

The House Bill relative to Rosa Parks day (House, No. 3189), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Rosa Parks day.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by striking out section 2; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith February 4th as Rosa Parks Day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 3189, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the charter of the town of Provincetown (House, No. 5081), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Provincetown,— charter.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by striking out section 4 and inserting in place thereof the following section:

“SECTION 4. Section 1 of chapter 7 of said charter is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:—

a. The Chief of Police shall be a resident of Provincetown or Truro. The Director of Public Works shall reside within 45 driving miles of the Town of Provincetown. The Chief of Police and the Director of Public Works shall meet the requirements of this section within six months of assuming office.”.

The amendment was adopted; and the bill (House, No. 5081, amended) was passed to be engrossed. 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 Thursday next at eleven o'clock A.M.

Next sitting.

At twenty-five after twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.