
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, NOVEMBER 2, 2022.

[107]

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Wednesday, November 2, 2022.

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.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and turned the gavel over to Representative Coppinger of Boston, who, on behalf of himself, Representatives Lawn of Watertown and Honan of Boston, welcomed TD Joe McHugh into the House Chamber, along with his wife Olwyn, and his three children, Darragh, Aedin, and Oisin.

Joe McHugh.

They traveled all the way from Donegal, Ireland to be here today. TD McHugh has an impressive background in Irish politics. He first became a TD of the Dail Eireann in 2007.

Throughout his career, he has served as Chief Government Whip, Minister of State at the Department of Culture, Heritage and the Gaeltacht, Minister of State for the Diaspora and Overseas Development Aid, and Minister for Education and Skills.

Currently, Mr. McHugh serves as TD in the 33rd Dail Eireann, where he represents the constituency in Donegal.

Resolutions.

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

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Madeline Frances Rothstein on achieving the rank of Eagle Scout from the Boy Scouts of America;

Madeline
Rothstein.

Resolutions (filed by Mr. Linsky of Natick) congratulating Daniel Aromando on achieving the rank of Eagle Scout with the Boy Scouts of America;

Daniel
Aromando.

Resolutions (filed by Mr. Linsky of Natick) congratulating Derek Aromando on achieving the rank of Eagle Scout with the Boy Scouts of America;

Derek
Aromando.

Resolutions (filed by Mr. Linsky of Natick) congratulating Gavin Lynch on achieving the rank of Eagle Scout with the Boy Scouts of America;

Gavin
Lynch.

Resolutions (filed by Mrs. Lipper-Garabedian of Melrose) celebrating the dedication of the corner of Lebanon and Porter Streets in the city of Melrose as HealthCare Heroes Way; and

HealthCare
Heroes.

Resolutions (filed by Mr. Roy of Franklin) congratulating Colin Thomas Roberts on achieving the rank of Eagle Scout of the Boy Scouts of America;

Colin
Roberts.

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. Garballey of Arlington, 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 Nantucket Regional Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year ending June 30, 2022, was placed on file.

Nantucket
Transit
Authority.

Annual Reports.

Annual reports

Of the Disabled Persons Protection Commission (under Section 15(f) of Chapter 19C of the General Laws) submitting a summary of the Abuser Registry maintained by said commission; and

Abuser
Registry.

Of the Department of Youth Services (under Section 16 of Chapter 123A of the General Laws) describing the treatment offered to persons civilly committed as being sexually dangerous [copies of the communication were forwarded to the committees on Ways and Means and the Judiciary, as required by said law];

DYS,—
sexually
dangerous
persons.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Roy of Franklin, a petition (accompanied by bill, House, No. 5372) of Jeffrey N. Roy (by vote of the town) that the town of Franklin be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises in said town. To the committee on Consumer Protection and Professional Licensure.

Franklin,—
liquor license.

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 5373) of Angelo J. Puppolo, Jr., and Eric P. Lesser (by vote of the town) that the town of Wilbraham be authorized to appoint retired police officers of said town as special police officers. To the committee on Public Service.

Wilbraham,—
police.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill designating the portion of United States highway route 20 in Massachusetts the Medal of Honor highway (House, No. 4436) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate, passed to be engrossed, in concurrence, with an amendment in line 5 inserting after the word "department" the words "and at locations that do not conflict with existing designations". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Hancock,—
Medal of Honor
highway.

Bills

Authorizing the select board of Easton to lease a certain parcel of land (Senate, No. 3131) (on Senate bill No. 2972) [Local Approval Received]; and

Easton,—
land.

Amending the charter of the city of Amesbury (Senate, No. 3133) (on Senate bill No. 2448) [Local Approval Received];

Amesbury,—
charter.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 3134) of Mark C. Montigny, Marc R. Pacheco, Carol A. Doherty, Patricia A. Haddad and others for legislation to establish a sick leave bank for Philip Cloutier, an employee of the Department of Mental Health; and

Philip
Cloutier,—
sick leave.

Petition (accompanied by bill, Senate, No. 3135) of Walter F. Timilty, Michael D. Brady, Gerard J. Cassidy and Alyson M. Sullivan for legislation to establish a sick leave bank for Lisa Balentine, an employee of the Department of Transitional Assistance;

Lisa
Balentine,—
sick leave

Severally to the committee on Public Service.

Reports of Committees.

Mr. Michlewitz of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3030) of the House Bill relating to economic growth and relief for the Commonwealth (House, No. 5034), reported, in part, a bill with the same title (House, No. 5374) [Total Appropriation: \$3,791,386,570.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Economic
growth and
relief and
supplemental
appropriations.

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 5316, an Order relative to authorizing the committee on Public Service to make an investigation and study of a certain House document relative to the Lawrence Retirement Board (House, No. 5371) [Local Approval Received]. Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Lawrence,—
retirement
board.

Mr. Galvin of Canton, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Cutler of Pembroke, for the committee on Labor and Workforce Development, on a petition, a Bill relative to workforce training (House, No. 4922). Referred, under Joint Rule 33, to the committee on Ways and Means.

Blockchain
technology.

Engrossed Bills.

Engrossed bills

Amending the charter of the city of Methuen (see House, No. 4690);

Authorizing the town of Middlefield to continue the employment of Ronald Radwich (see House, No. 4717); and

Bills
enacted.

Authorizing the city of Newburyport to continue the employment of police officer Charles Vorderis (see House, No. 4871, 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 House Bill increasing penalties for hit and runs with recreational vehicles in the Commonwealth to be known as the James Ward Act (House, No. 4504), reported by the committee on Bills in the Third Reading be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill.

The engrossed Bill to reduce traffic fatalities (see House, No. 5103), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 5298), was considered.

Traffic fatalities.

The committee on Bills in the Third Reading reported recommending that the amendments recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendments recommended by the Governor then were rejected.

Mr. Straus of Mattapoisett then moved to amend the bill in section 8 by striking out the following: “3 feet when the motor vehicle is traveling at 30 miles per hour or less, with 1 additional foot of clearance for every 10 miles per hour that the vehicle is traveling above 30 miles per hour” and inserting in place thereof the following: “4 feet and at a reasonable and proper speed”; and

By adding the following section:

“SECTION 18. Said chapter 90, as so appearing, is hereby further amended by striking out section 18 and inserting in place thereof the following section:—

Section 18. The city council, the transportation commission of the city of Boston, the board of selectmen or select board, park commissioners, a traffic commission or traffic director or the department, on ways within their control, may make, amend or rescind special regulations as to the speed of motor vehicles and may prohibit the use of such vehicles altogether on such ways; provided, however, that except in the case of a speed regulation no such special regulation shall be effective unless it shall have been published in 1 or more newspapers, if there be any, published in the town in which the way is situated, otherwise in 1 or more newspapers published in the county in which the town is situated; nor until after the department shall have certified in writing that such regulation, amendment or rescission is consistent with the public interests; provided further, however, that nothing herein contained shall be construed as affecting the right of the department of conservation and recreation to make rules and regulations governing the use and operation of motor vehicles on lands, roadways and parkways under its care and control. No such rule or regulation shall prohibit the use of passenger or station wagon type motor vehicles whose gross weight is less than 5,000 pounds and that are registered for commercial use on ways where noncommercial passenger type motor vehicles are permitted to operate. No such regulation, amendment or rescission shall be effective until there shall have been erected, upon the ways affected thereby and at such points as the department may

designate, signs, conforming to standards adopted by the department, setting forth the speed or other restrictions established by the regulation, and then only during the time such signs are in place. Any sign, purporting to establish a speed limit, which has not been erected in accordance with the foregoing provisions may be removed by or under the direction of the department.

Upon rescission of the speed regulation, or a portion thereof, and removal of the signs, sections 17 and 17C shall govern.

Any person, corporation, firm or trust owning a private parking area or owning land on or abutting a private way, or any person, corporation, firm or trust controlling such land or parking area, with the written consent of the owner, may apply in writing to the city council, the traffic commission of a city or town having a traffic commission, the transportation commission of the city of Boston or the board of selectmen or select board in any town in which the private way or parking area lies, to make special regulations as to the speed of motor vehicles and as to the use of such vehicles upon the particular private way or parking area, and the city council with the approval of the mayor, the traffic commission of a city or town, the transportation commission of the city of Boston or the board of selectmen or select board, as the case may be, may make such special regulations with respect to said private way or parking area to the same extent as to ways within their control and such special regulations shall not be subject to approval by the department or the registrar; provided, however, that any traffic signs, signals, markings or devices used to implement such special regulations shall conform in size, shape and color to the most current manual on uniform traffic control devices.”

The amendments were adopted. Sent to the Senate for its action.

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.

Next
sitting.

At twenty-eight minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.