
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 5, 2022.

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Monday, December 5, 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.

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 prohibiting license revocation for student loan default [see House, No. 4339, amended] (for message, see House, No. 5408), was filed in the office of the Clerk on Thursday, December 1.

Student loans,—
license
revocation.

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 Ms. Garlick of Needham, to the committee on Bills in the Third Reading.

Change in Address of a Member.

Notice was received that the home town of record for Representative Natalie M. Blais, formerly of Sunderland, has been changed (effective for General Court records as of December 5, 2022) to the town of Deerfield.

Representative
Blais of
Deerfield.

Resolutions.

Resolutions (filed with the Clerk by Mr. Cabral of New Bedford) commending the two hundredth anniversary of the arrival of the first Consul General of Portugal in the city of Boston.

Portugal,—
Consul
General.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, 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.

Papers from the Senate.

The House Bill changing the board of selectmen in the town of Lee to the select board (House, No. 4729) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in

Lee,—
select board.

concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3144. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Authorizing the town of Brookline to spend \$500,000 from the town's Marijuana Mitigation Stabilization Fund for the purpose of advancing racial equity in the town (Senate, No. 2529) (on a petition) [Local Approval Received];

Brookline,—
racial equity.

Authorizing the town of Brookline to establish a means-tested senior citizen property tax exemption (Senate, No. 2803) (on a petition) [Local Approval Received];

Brookline,—
tax exemption.

Exempting the town of Brookline from in-person quorums (Senate, No. 3145) (on Senate bill No. 2685) [Local Approval Received]; and

Brookline,—
quorums.

Expanding the powers of the town of Brookline to delegate licensing authority (Senate, No. 3146) (on Senate bill No. 2684) [Local Approval Received];

Brookline,—
licensing.

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.

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 joint petition of Dylan A. Fernandes and Julian Cyr that the county commissioners of Dukes County be authorized to appoint a treasurer who may not be a resident of said county. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Dukes
County,—
treasurer.

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 establishing a sick leave bank for Philip Cloutier, an employee of the Department of Mental Health (Senate, No. 3134); and

Philip
Cloutier.

The House Bill relative to property tax classifications in the city of Watertown (House, No. 5339) [Local Approval Received];

Watertown,—
property taxes.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill to extend the time for the issuance of alcoholic beverage licenses in the city of Woburn (House, No. 5377) [Local Approval Received].

Woburn,—
liquor
licenses.

By Mr. Ryan of Boston, for the committee on Election Laws, on a petition, a Bill validating the actions taken at the Milford annual town meeting (House, No. 5382) [Local Approval Received].

Milford,—
town
meeting.

By the same member, for the same committee, on a joint petition, a Bill relative to preliminary election dates and filling vacancies in the offices of mayor and councillor in the city of Salem (House, No. 5396) [Local Approval Received].

Salem,—
elections.

By Mr. Gordon of Bedford, for the committee on Public Service, on a petition, a Bill authorizing the town of Hampden to continue the employment of fire department member Peter Hatch (House, No. 5369) [Local Approval Received].

Hampden,—
Peter Hatch.

By the same member, for the same committee, on a petition, a Bill allowing the appointment of retired Wilbraham police officers as special police officers (House, No. 5373) [Local Approval Received].

Wilbraham,—
special police.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Hampden to continue the employment of police department member James Gormally (House, No. 5378) [Local Approval Received].

Hampden,—
James
Gormally.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Clara Bett, an employee of the Trial Court of the Commonwealth (see Senate, No. 3117), 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.

Clara Bett,—
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 Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Molly Shahvari, an employee of the Executive Office of Health And Human Services (see House, No. 5345, 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.

Molly
Shahvari,—
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 Senate to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Providing certain death benefits for the widow of a former firefighter of the City of Boston (see House, No. 4454);

Bills
enacted.

Providing for the merger of the Shelburne Housing Authority with the Franklin County Regional Housing and Redevelopment and for the restructuring of the membership of the Franklin County Regional Housing and Redevelopment Authority (see House, No. 4772, amended); and

Authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 5252);

(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 amendments of the House Bill providing creditable service for fire department personnel in the city of Revere (House, No. 4572), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Revere,—
creditable
service.

The Senate Bill amending the charter of the city of Amesbury (Senate, No. 3133), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

House bills

Relative to electronic meetings and voting in condominiums (House, No. 1416);
Authorizing the town of Conway to continue the employment of police officer Randall Williams (House, No. 5296) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Authorizing the town of Norton to grant additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 5302);

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 Senate amendment of the House Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Fitchburg (House, No. 4902), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Fitchburg,—
land.

Ms. Garlick of Needham then moved that the House concur with the Senate in its amendment with a further amendment in section 1 (as amended by the Senate) by striking out the first and second sentences and inserting in place thereof the following sentence: “Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a certain parcel of state-owned land currently held as surplus property, with the buildings thereon, located in the city of Fitchburg, to the city of Fitchburg on such terms as may be determined by the commissioner subject to a historic covenant, the terms of which shall be determined by the commissioner and recorded in the registry of deeds where the land lies.”. The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

The Senate Bill regulating special police officers in the city known as the town of Agawam (Senate, No. 2589), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Agawam,—
special police.

Pending the question on passing the bill to be engrossed, in concurrence, Ms. Garlick of Needham moved to amend it by striking out section 5 and inserting in place thereof the following two sections:

“SECTION 5. Section 5 of said chapter 80 is hereby amended by inserting after the word ‘Laws’ the following words:— or section 99A of chapter 41 of the General Laws. Sections 96B, 100 and 111F of said chapter 41 shall apply to special police officers. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 156 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 156 weeks before the incapacity. Benefits under section said section 111F of said chapter 41 shall terminate in accordance with said section 111F of said chapter 41 or when a special police officer reaches the age of 70, whichever occurs sooner. Special police officers appointed pursuant to this act shall not be subject to section 85H½ of chapter 32 of the General Laws nor eligible for benefits pursuant to that section.

SECTION 5A. A special police officer appointed pursuant to this act shall comply with all requirements of chapter 6E of the General Laws, including (i) maintaining certification and good standing with the peace officer standards and training commission and (ii) complying with all annual in-service and other training requirements mandated by the Municipal Police Training Committee.”.

The amendment was adopted; and the bill (Senate, No. 2589, amended), was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill to amend the Williamstown town charter by making all gender references therein gender neutral (House, No. 4994), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Williamstown,—
charter.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by substitution of a bill with the same title (House, No. 5409), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to Chapter 30B: Uniform Procurement Act (House, No. 5039), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Boston,—
procurement.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by striking out sections 2 and 3 and inserting in place thereof the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 5039, 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 half past eleven o'clock A.M., on motion of Ms. Ferguson of Holden (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.