
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 16, 2021.

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JOURNAL OF THE HOUSE.

Thursday, December 16, 2021.

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 and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

At the request of Representatives Ayers of Quincy, Cusack of Braintree, Driscoll of Milton, and Michlewitz of Boston the members and employees stood in a moment of silent tribute in respect to the memory of Donald P. Ogden of Boston, formerly of Randolph, who passed away peacefully and comfortably at his home in Boston's North End, on December 3rd at the age of 84.

Donald P.
Ogden.

Don was born in Boston and raised in Randolph where he graduated high school and then went on to attend Bentley College. Soon after high school, Don enlisted in the Massachusetts National Guard and transferred to the United States Army where he proudly served his country during the Vietnam War. Don achieved the rank of "Captain" and was awarded several medals and commendations, including the Vietnam Service Medal with seven Service Stars, Bronze Star Medal with two Oak Leaf Clusters and the Army Commendation Medal.

In 1980, Don co-founded Boston based A Yankee Line, Inc. (Yankee Bus Line), serving the entire Northeast corridor with luxury tours, charters and general passenger transportation.

Don was an avid racehorse owner and enthusiast. Don especially cherished his time connecting with family and friends in Randolph, Boston's North End, South Boston, Saratoga, N.Y. and his motorcoach industry friends throughout North America and the U.K.

A devoted son, brother, uncle and friend, Don will be greatly missed by all who were blessed to have known him. Don was the son of the late Francis and Anna (Boodro) Ogden. Brother of the late Dorothy Burns, Patricia Gray and Margaret Fletcher. Also survived by many nieces, nephews, cousins and friends.

Message from the Governor — Disapprovals and Recommendation of Amendment in Supplemental Appropriations Bill.

A message from His Excellency the Governor returning with his disapproval of certain wording contained in section 2A, disapproval of section 79, and also with recommendation of amendment of section 72 contained in the engrossed Bill relative to immediate COVID-19 recovery needs [see House, No. 4269] (for message, see House, No. 4289), filed in the office of the Clerk on Monday, December 13, was read.

COVID-19
recovery,—
disapprovals and
amendment.

So much of the message as relates to the disapprovals were referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to section 72 (printed as House, No. 4288) returned with recommendation of amendment (under the provisions of Article LVI of the Amendments to the Constitution, was thereupon “before the General Court and subject to amendment and re-enactment”), and was referred, on motion of Ms. Garlick of Needham, to the committee on Bills in the Third Reading.

Messages from the Governor.

A message from His Excellency the Governor recommending legislation to protect victims of crimes and the public (House, No. 4290), was filed in the office of the Clerk on Wednesday, December 15.

Crimes,—
victims.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

A message from His Excellency the Governor recommending legislation relative to the harmful distribution of sexually explicit visual material (House, No. 4291), was filed in the office of the Clerk on Wednesday, December 15.

Sexually
explicit
material,—
distribution.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Mrs. Harrington of Groton, a petition (accompanied by bill, House, No. 4292) of Sheila C. Harrington (by vote of the town) relative to the charter of the town of Townsend; and

Townsend,—
charter.

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4293) of David T. Vieira (by vote of the town) relative to changing the name of the board of selectmen to select board in the town of Mashpee.

Mashpee,—
select board.

Severally to the committee on Municipalities and Regional Government.

By Representative Barrows of Mansfield and Senator Feeney, a joint petition (accompanied by bill, House, No. 4294) of F. Jay Barrows and Paul R. Feeney (by vote of the town) that the town of Foxborough be authorized to exempt certain positions in the police department of said town from the civil service law. To the committee on Public Service.

Foxborough,—
civil service
law.

By Representative Garballey of Arlington and Senator Friedman, a joint petition (accompanied by bill, House, No. 4295) of Sean Garballey and Cindy F. Friedman (by vote of the town) that the town of Arlington be authorized to establish a real estate transfer fee upon the transfer of property in said town. To the committee on Revenue.

Arlington,—
real estate
transfer fee.

Severally sent to the Senate for concurrence.

Mr. Consalvo of Boston presented a petition (subject to Joint Rule 12) of Rob Consalvo relative to the income tax deduction for renters; and the same was referred, under Rule 24, to the committee on Rules.

Renters,—
deduction.

Papers from the Senate.

A report of the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1368) of John C. Velis and Timothy R. Whelan for legislation relative to accidental disability retirement for police officers and firefighters, and recommending that the same be referred to the committee on Public Service,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Disability retirement,— police officers and firefighters.

A petition (accompanied by bill, Senate, No. 2601) of Ryan C. Fattman, Paul K. Frost and Peter J. Durant (by vote of the town) for legislation to authorize the town of Charlton to remove police department positions from civil service, was referred, in concurrence, to the committee on Public Service.

Charlton,— civil service.

A petition of Bruce E. Tarr for legislation relative to the Commonwealth Recovery Council, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Commonwealth Recovery Council.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2602) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

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:

Petition (accompanied by bill) of Peter J. Durant and others that the Commonwealth shall not require proof of vaccination against COVID-19 as a condition of entry. To the committee on Covid-19 and Emergency Preparedness and Management.

COVID-19,— vaccination.

Petition (accompanied by bill) of Richard M. Haggerty relative to court officers injured in service of the Commonwealth. To the committee on Public Service.

Court officers,— service injury.

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

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

Providing for the establishment of sustainable water resource funds (House, No. 2152);

Water resource funds.

Relative to veterans housing advantage (House, No. 2185);

Veterans.

Authorizing municipal use of the prudent investor standards (House, No. 2199);

Investments.

Relative to courtesy retail parking spaces designed for non-handicapped veterans (House, No. 2203);

Veterans,— parking.

Relative to assessor certificates (House, No. 2206);

Assessors.

Relative to additional inspectors; inspector [sic] engaging in plumbing or gas fitting work (House, No. 2207);

Plumbing inspectors.

Providing for municipal meeting postponement due to inclement weather (House, No. 4035);

Municipal Meetings.

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

By Mr. Gordon of Bedford, for the committee on Public Service, on Senate, No. 1719 and House, No. 2732, a Bill to preserve the practice of including annual payments in lieu of vacation as regular compensation for current retirees and active retirement system members where such benefit existed as of May 2018 (House, No. 2732). Read and referred, under Rule 33, to the committee on Ways and Means.

Annual payments,— retirees.

By Mr. Gordon of Bedford, for the committee on Public Service, on a petition, a Bill regarding the disability pension of Harry Jean (House, No. 3757) [Local Approval Received].

Boston,— Harry Jean.

By the same member, for the same committee, on a petition, a Bill regarding the disability pension for Ryan Lenane (House, No. 3758) [Local Approval Received].

Boston,— Ryan Lenane.

By the same member, for the same committee, on a petition, a Bill regarding the disability pension for Terry Cotton (House, No. 3759) [Local Approval Received].

Boston,— Terry Cotton.

By the same member, for the same committee, on a petition, a Bill directing the Bristol County Retirement Board to grant creditable service to Frank Cabral Jr. [sic] (House, No. 3772).

Frank Cabral,— creditable service.

By the same member, for the same committee, on a petition, a Bill directing the Bristol County Retirement Board to grant creditable service to Christopher J. Gallagher (House, No. 3943).

Christopher Gallagher.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Deerfield to continue the employment of police officer Gary Sibilia (House, No. 3988) [Local Approval Received].

Deerfield,— Gary Sibilia.

By the same member, for the same committee, on House, No. 3921, a Bill relative to police detail work in the town of Hudson (House, No. 4296) [Local Approval Received].

Hudson,— police details.

By the same member, for the same committee, on House, No. 4097, a Bill authorizing the town of West Stockbridge to continue the employment of Steven Traver (House, No. 4297) [Local Approval Received].

West Stockbridge,— Steven Traver.

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

Engrossed Bills.

Engrossed bills

Further regulating the appointment of finance committee members in the town of Grafton (see House, No. 3705); and

Bills enacted.

Restoring an increase in the membership of the board of health in the city of Framingham (see House, No. 4084);

(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 Bill providing a tax exemption for certain qualifying real estate in the town of Hamilton (Senate, No. 1362), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third reading bill.

The House Bill relative to the Nantucket Audit Committee (House, No. 4123), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Id.

Order.

On motion of Mr. Mariano of Quincy,—

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

Next sitting.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.