
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 19, 2022.

[121]

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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 Tribute.

At the request of the Chair (Mr. Donato of Medford), the members, guests and employees stood in a moment of silent tribute in respect to the memory of Stephen Kulik, a member of the House from Worthington, from 1993 to 2018, inclusive.

Stephen
Kulik.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato), declared a brief recess and introduced, seated in the House Chamber, the Hanover High School girls varsity soccer team. At the invitation of the Chair, they participated in the pledge of allegiance to the flag. They were the guests of Mr. DeCoste of Norwell, and were accompanied by Senator Keenan.

Hanover
High School,—
girls varsity
soccer team.

Resolutions.

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

Resolutions (filed by Ms. Decker of Cambridge) recognizing Mary Ayoub on the occasion of her one hundredth birthday, December 23, 2022; and

Mary
Ayoub.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Chief Richard Delorie on his retirement from the Wellesley Fire Department;

Richard
Delorie.

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

Petitions.

Petitions severally were presented and referred as follows:

By Representative Garballey of Arlington and Senator Friedman, a joint petition (accompanied by bill, House, No. 5430) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) that the town of Arlington be authorized to offer early voting in town elections in said town. To the committee on Election Laws.

Arlington,—
early
voting.

By the same members, a joint petition (accompanied by bill, House, No. 5431) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) that the town of Arlington be authorized to prohibit use of second generation anti-coagulant rodenticides by commercial pesticide applicators in said town. To the committee on Environment, Natural Resources and Agriculture.

Arlington,—
rodenticide
prohibition.

By the same members, a joint petition (accompanied by bill, House, No. 5432) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) relative to financial estimates and budget reporting in the town of Arlington. To the committee on Municipalities and Regional Government.

Arlington,—
budget
reporting.

By Mr. Vargas of Haverhill, a petition (accompanied by bill, House, No. 5433) of Andres X. Vargas (with the approval of the mayor and city council) that the city of Haverhill be authorized to appoint retired police officers as detail police officers within said city for paid detail assignments. To the committee on Public Service.

Haverhill,—
retired
police.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill authorizing the city of Melrose to regulate certain property tax exemption eligibility requirements for the elderly (House, No. 3767), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 1 and inserting in place thereof the following section:

Melrose,—
property
taxes.

“SECTION 1. Notwithstanding clause Forty-first A of section 5 of chapter 59 of the General Laws or any other general or special law to the contrary, and subject to sections 2 to 5, inclusive, of this act, the board of assessors of the city of Melrose shall defer the real estate property tax payment for property of a person who: (i) is 60 years of age or older and occupies the property as the person’s domicile; (ii) owns the property jointly with the person’s spouse and occupies the property as the person’s domicile; provided, however, that either the person or the person’s spouse shall be 60 years of age or older; or (iii) owns the property jointly or as a tenant in common with a person who is not the person’s spouse and occupies the property as the person’s domicile; provided, however, that either the person or the tenant in common shall be 60 years of age or older. A tax deferral exemption under this section shall only apply if the person claiming the exemption: (i) had a combined income during the preceding year of an amount not to exceed the amount established by the board of assessors; provided, however, that if the person claiming the exemption is married, then the person and the person’s spouse’s combined incomes shall not exceed the amount established by the board of assessors; and (ii) (A) has owned and occupied as the person’s domicile the real property in the city for 5 years; or (B) is a surviving spouse who inherits such real property and has occupied such real property as their domicile in the city for 5 years and who otherwise qualifies under this act.”

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

A Bill supporting parents running for public office (Senate, No. 3152) (on Senate bill No. 475), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Candidates,—
child care.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 3154) of Bruce E. Tarr and Jamie Zahlaway Belsito (by vote of the town) for legislation to recall elected officials in the town of Manchester-by-the-Sea. To the committee on Election Laws.

Manchester-by-the-Sea,—
recall elections.

Petition (accompanied by bill, Senate, No. 3153) of John C. Velis (with approval of the mayor and city council) for legislation relative to the retirement of Greg Heath, a former firefighter to [sic] the city of Westfield. To the committee on Public Service.

Westfield,—
Greg Heath.

Reports of Committees.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 5367, a Bill authorizing the town of Middleton to grant up to 8 alcoholic beverages licenses (House, No. 5429) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Middleton,—
liquor
licenses.

Mr. Honan of Boston, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Kerans of Danvers, the bill was read a second time forthwith; and it was ordered to a third reading.

Report of the committee on Health Care Financing, that the House Bill increasing diagnostic testing preparedness (House, No. 5001) ought NOT to pass (under Joint Rule 10). Under suspension of the Rules, on motion of Ms. Kerans of Danvers, the report was considered forthwith. The question being: “Shall this bill be rejected?” was negatived. The bill then was recommitted to the committee on Health Care Financing, on motion of Mr. Lawn of Watertown.

Diagnostic
testing.

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 expanding the select board of the town of Wenham (Senate, No. 3147) [Local Approval Received]; and

Wenham,—
select board.

House bills

Validating the actions taken at the Milford annual town meeting (House, No. 5382) [Local Approval Received];

Milford,—
town meeting.

Validating the annual town meeting for the town of Blandford (House, No. 5401) [Local Approval Received];

Blandford,—
town meeting.

Validating the results of the annual town election held in the town of Lancaster (House, No. 5402) [Local Approval Received];

Lancaster,—
town election.

Exempting the position of police chief in the town of Lancaster from the provisions of the civil service law (House, No. 5404) [Local Approval Received]; and

Lancaster,—
police chief.

Establishing a sick leave bank for Christopher King, an employee of the Department of Public Health (House, No. 5425);

Christopher
King,—
sick leave.

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

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill authorizing the town of Hancock to allow firefighters and police to continue serving past age 65 (House, No. 5077) [Local Approval Received], be scheduled for consideration by the House.

Hancock,—
public safety
officers.

Under suspension of the Rule 7A, on motion of Ms. Kerans of Danvers, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 5393, an Order relative to authorizing the committee on Public Service to make an investigation and study of a certain House document concerning creditable service to Robin Blatt (House, No. 5434). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Robin
Blatt,—
retirement.

Subsequently, 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. Tucker of Salem, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Hull to lease certain property and to extend leases on certain property to promote economic development and the more effective use of town property (House, No. 5417, changed in section 1, in line 3, by striking out the following: “G.L. c. 30B” and inserting in place thereof the following: “section 16 of chapter 30B of the General Laws”) [Local Approval Received].

Hull,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the County Commissioners of Dukes County to appoint a treasurer who may not be a resident of the county (House, No. 5418).

Dukes
County,—
treasurer.

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 5412, a Bill establishing a sick leave bank for Kimberly Howland, an employee of the Appellate Tax Board (House, No. 5428).

Kimberly
Howland,—
sick leave.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Brittany S. Ketcham, an employee of the Executive Office of Public Safety and Security (see House, No. 5376), 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.

Brittany
Ketcham,—
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 Senate to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Designating a certain bridge in the town of Orleans as the Norman Wood Finch memorial bridge (House, No. 3969, amended);

Bills
enacted.

Authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Fitchburg (see House, No. 4902, amended); and

Confirming and authorizing Commercial Wharf East Condominium Association's uses and structures located on private tidelands (see House, No. 5080, amended);

(Which severally originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Exempting Jesus Melendez from the maximum age requirement for appointment as a firefighter in the town of North Andover (Senate, No. 3024);

Id.

Authorizing the town of Andover to grant 7 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 3139);

(Which severally originated in the Senate); and

Authorizing the town of Raynham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 4746) (which 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 regulating real estate acquisitions for and funding of capital projects at Nantucket airport in the town of Nantucket (House, No. 3792), reported by the committee on Bills in the Third reading to be correctly drawn, was adopted, in concurrence.

Nantucket,—
airport capital
projects.

Senate bills

Designating the Quabbin Visitor Center in the town of Belchertown as the Les and Terry Campbell Quabbin Visitor Center (Senate, No. 544);

Third
reading
bills.

Extending the duration of the Fitchburg Area Economic Development Corporation (Senate, No. 2852); and

Authorizing the town of Wareham to grant 7 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 3141);

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, in concurrence.

House bills

Authorizing Jeffrey H. Jackson to purchase creditable service from the Barnstable County Retirement Board (House, No. 4654);

Id.

Authorizing the town of Harvard to establish and enforce speed limits on certain public ways in the town (House, No. 4739);

Relative to the procedure for municipal acceptance of subdivision roads in the town of East Bridgewater (House, No. 4972);

Authorizing the town of Raynham to grant additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 5297);

Authorizing the town of Hampden to continue employment of fire department member Peter Hatch (House, No. 5369); and

Providing for alternate members of the conservation commission of the town of Lynnfield (House, No. 5400);

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 Bill amending the charter of the town of Wareham (Senate, No. 2562), reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time.

Wareham,—
charter.

Pending the question on passing the bill to be engrossed, in concurrence, Ms. Garlick of Needham moved to amend it in section 2, in line 45, by striking out the words “‘Local newspaper’, a newspaper of general circulation in the town of Wareham.”;

By inserting after line 47 the following paragraph:

“‘Media’ a means of communicating information to as wide a variety of people as possible which may include newspapers, bulletin boards, radio and television, and the internet.”;

In lines 75 and 76 by striking out the words “in the month of October, at a time fixed by by-law” and inserting in place thereof the words “on the fourth Monday of October”;

In line 184 by striking out the words “a town clerk.”;

In lines 220 and 221 by striking out the words “the board of health and the members of all other multiple-member bodies for whom no other method of selection is provided by the charter; provided, however, that the select board shall not appoint the town clerk and other elected officials” (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the words “other than elected officers, the board of health and the members of all multiple-member bodies for whom no other method of selection is provided by the charter”;

By inserting after line 343 the following three paragraphs:

“Section 3 – 9 Board of Road Commissioners

(a) Composition, Term of Office – There shall be a Board of Road Commissioners consisting of 7 voting members: 3 ex officio members, the Chief of Police, the Town Planner, and the Director of Public Maintenance, and 4 members appointed by the Board of Selectmen according to the merit principle, whose terms shall be 2 years each, with 2 of the appointee positions expiring each year.

(b) Powers and Duties – The Board of Road Commissioners shall act in accordance with the powers enumerated in Chapter 40, Massachusetts General Laws, Section 22 and, as such, shall conduct a periodic review of public ways and shall make rules and orders for all traffic policies, including: speed limits, traffic control signs, regulation of heavy commercial vehicles, traffic and parking regulations, penalties and repeals. Insofar as these rules and orders are the same as the regulations, rules and orders now in force in the Wareham Municipal Traffic Code, they shall be deemed to be a continuation thereof. The board shall, furthermore, assume the responsibility of street marking, and house numbering as determined by the revised 10-26-2009 By-Laws of the Town of Wareham, Division III, Article I.”;

In lines 598 and 599 by striking out the following: “(iii) on the town website; and (iv) on a town community local access television station” (as changed by the

Senate committee on Bills in the Third Reading) and inserting in place thereof the following: “and (iii) in local media”; and

In line 690 by inserting after the word “law” the words “or collective bargaining agreement”.

The amendments were adopted; and the bill (Senate, No. 2562, amended), was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

The House Bill relative to preliminary election dates and filling vacancies in the offices of mayor and councillor in the city of Salem (House, No. 5396), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Salem,—
vacancies.

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. 5435), which was read.

The amendment was adopted; and the substituted bill 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.

Ms. Blais of Deerfield then moved that when the House adjourns today, it do so in respect to the memory of Stephen Kulik, a member of the House from Worthington from 1993 to 2018, inclusive; and the motion prevailed.

Accordingly, at twenty-four minutes after eleven o’clock A.M., on motion of Mr. Muradian of Grafton (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.