
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, DECEMBER 27, 2022.

[123]

JOURNAL OF THE HOUSE.

Tuesday, December 27, 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.

Papers from the Senate.

The engrossed Bill to reduce traffic fatalities (see House, No. 5103, amended), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see House, No. 5298), came from the Senate with the endorsement that said branch had concurred with the House in its amendments with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3162. The further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the further amendment was correctly drawn; and it was adopted, in concurrence.

Traffic
fatalities.

The House Bill further regulating procurements by the city of Boston (House, No. 5039, amended) (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 section 1 adding the following paragraph:

Boston,—
procurements.

“After awarding a contract under this section, the city shall publish notice of such award in the city record or on the city’s website.”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment was correctly drawn; and it was adopted, in concurrence.

The House Bill providing for a certain payment in lieu of tax agreement with owners of Pilgrim Nuclear Power Plant in the town of Plymouth (House, No. 4768, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3 inserting after the word “subsidiaries” the words “, upon the execution of, and in compliance with, an agreement between Holtec Pilgrim, LLC, its subsidiaries and the select board of the town”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Pilgrim
Nuclear
Power Plant.

The House Bill relative to the New Bedford Police Association (House, No. 5066), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 2, in line 19, striking out the following: “\$1,000 or \$150” and inserting in place thereof the following: “the greater of: (a) \$1,000; or (b) \$150”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

New Bedford
Police
Association.

The House Bill authorizing the city known as the town of Franklin to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 5395) (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 striking out section 2 and inserting in place thereof the following section:

Franklin,—
liquor
license.

“SECTION 2. Upon the issuance of the license pursuant to section 1, MADD Deli, Inc. doing business as Dacey’s Market, located at 353 Lincoln street in the city known as the town of Franklin, shall return physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, the license it currently holds pursuant to chapter 382 of the acts of 2020 for the sale of wines and malt beverages not to be drunk on the premises pursuant to section 15 of chapter 138 of the General Laws.”.

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

The Senate Bill directing the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the city of Lowell to the University of Massachusetts Building Authority (Senate, No. 3158) (on Senate bill No. 3138), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Lowell,—
land.

Bills

Authorizing the city of Taunton to establish an age limit for original appointment to the position of police officer (Senate, No. 2870) (on a petition) [Local Approval Received];

Taunton,—
police officers.

Directing certain revenue of the town of Wareham to the Wareham Municipal Affordable Housing Trust (Senate, No. 3011) (on a petition) [Local Approval Received];

Wareham,—
housing trust.

Further regulating the submission of articles to town meetings in the town of Wareham (Senate, No. 3012) (on a petition) [Local Approval Received];

Wareham,—
town meeting.

Authorizing the town of Boxford to establish the Boxford small repair grants trust (Senate, No. 3157) (on Senate bill No. 2935) [Local Approval Received];

Boxford,—
trust.

Designating March 5 as United States Navy Seabees day (Senate, No. 3159) (on Senate bill No. 2114); and

Seabees
day.

Establishing a sick leave bank for Nicole Sumner, an employee of the Department of Youth Services, and Solange Encarnacion, an employee of the Registry of Motor Vehicles (Senate, No. 3160) (on Senate bill No. 3130);

Nicole Sumner
and Solange
Encarnacion,—
sick leave.

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.

A message from His Excellency the Governor (pursuant to Chapter 127, Section 152 of the Massachusetts General Laws) [sic] a report of the exercise of the pardoning power by the Governor, with the advice and consent of the Council, from January 1, 2022, to December 20, 2022 (Senate, No. 3161), was read for the information of the House and returned to the Senate to be placed on file.

Pardons.

A petition (accompanied by bill) of Michael F. Rush for legislation to establish a sick leave bank for Sean Bruen, an employee of the Trial Court of the

Sean Bruen,—
sick leave.

Commonwealth, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 3165) was referred, in concurrence, to the committee on the Judiciary.

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:

Senate bills

Changing the board of selectmen of the town of Hanover to a select board (Senate, No. 3119) [Local Approval Received];

Hanover,—
select board.

Modifying certain titles and providing for the appointment of certain positions by the town administrator of the town of Newbury (Senate, No. 3120) [Local Approval Received]; and

Newbury,—
position titles.

Authorizing the town of Boxford to establish the Boxford small repair grants trust (Senate, No. 3157) [Local Approval Received]; and

Boxford,—
grants.

House bills

Authorizing the town of Athol to grant 6 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 5437) [Local Approval Received]; and

Athol,—
liquor
licenses.

Authorizing the town of Clinton to grant 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 5438) [Local Approval Received];

Clinton,—
liquor
licenses.

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 Ms. Decker of Cambridge, for the committee on Public Health, on House, No. 2253, an Order relative to authorizing the committee on Public Health to make an investigation and study of a certain House document relative to protocols for stroke patients (House, No. 5441) [Senator O'Connor dissenting].

Public Health,—
study order.

By the same member, for the same committee, on House, No. 2370, an Order relative to authorizing the committee on Public Health to make an investigation and study of a certain House document relative to COVID-19 vaccinations (House, No. 5443) [Senator Rausch dissenting].

Id.

By the same member, for the same committee, on House, Nos. 2307, 2401 and 3926, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents relative to public health matters (House, No. 5444).

Id.

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Tucker of Salem, for the committee on Municipalities and Regional Government, on a joint petition, a Bill amending the Arlington town manager act relative to financial estimates and budget reporting (House, No. 5432 [Local Approval Received]).

Arlington,—
budget
reporting.

By Mr. Gordon of Bedford, for the committee on Public Service, on a petition, a Bill authorizing Kyle J. Wiley to purchase creditable military service from the Barnstable County Retirement System (House, No. 5410).

Kyle Wiley,—
creditable
service.

By the same member, for the same committee, on House, No. 5411, a Bill authorizing Cynthia Falzone to purchase creditable service from the Norfolk County retirement board (House, No. 5440).

Cynthia
Falzone,—
retirement.

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

Emergency Measure.

The engrossed Bill designating the first Tuesday of October as inflammatory breast cancer awareness day (see House, No. 3147, 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.

Inflammatory
breast cancer
day.

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.

Orders of the Day.

The Senate amendment of the House Bill establishing recall elections in the town of Otis (House, No. 826, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Otis,—
recall
elections.

The Senate Bill further regulating the Commission on Falls Prevention (Senate, No. 1446), 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.

House bills

Relative to motor vehicle service contracts (House, No. 1065);

Establishing representative town meetings (House, No. 4276);

Relative to the increase of certain maximum fines for motor vehicle parking violations in the town of Plymouth (House, No. 5380);

Authorizing the Westborough Board of Assessors to approve additional tax exemptions of qualifying senior residents (House, No. 5391);

Authorizing the continued employment of Anthony Del Signore, the assistant fire chief of the town of Reading (House, No. 5403);

Authorizing the town of Reading to establish a means tested senior citizen property tax exemption (House, No. 5405); and

Establishing a sick leave bank for Kimberly Howland, an employee of the Appellate Tax Board (House, No. 5428);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Third
reading
bills.

The Senate Bill authorizing the increase of a tax exemption for eligible seniors in the town of Tewksbury (Senate, No. 3114), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time.

Tewksbury,—
tax exemption.

Pending the question on passing the bill to be engrossed, in concurrence, Ms. Garlick of Needham moved to amend it in lines 11 and 12 by striking out the words “annually relative to the most recent amount or limit established in the preceding year”.

The amendment was adopted; and bill (Senate, No. 3114, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The Senate Bill authorizing the increase of a tax exemption for eligible veterans in the town of Tewksbury (Senate, No. 3115), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time.

Id.

Pending the question on passing the bill to be engrossed, in concurrence, Ms. Garlick of Needham moved to amend it in lines 7 and 8 by striking out the words “annually relative to the most recent exemption amount, as established in the preceding year”.

The amendment was adopted; and bill (Senate, No. 3115, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill authorizing the town of Marblehead to amend the general bylaws to add a new chapter 175, elections regarding the order of candidates [sic] names on ballot (printed as Senate, No. 3027), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time.

Marblehead,—
public
hearings.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by substitution of a Bill relative to the order of candidates’ names on the town of Marblehead town election ballots (House, No. 5442), which was read.

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

Recess.

At twenty-five minutes after eleven o’clock A.M., on motion of Mrs. Kane of Shrewsbury (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at ten minutes after one o’clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bills.

The engrossed Bill extending the duration of the Fitchburg Area Economic Development Corporation (see Senate, No. 2852, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill to reduce traffic fatalities (see House, No. 5103, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendments), having been certified by the Clerk to be rightly and truly prepare for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

Engrossed bills

Authorizing the investment of trust funds benefiting the town of Sherborn library (see Senate, No. 1355);

Bills
enacted.

Further regulating the Commission on Falls Prevention (see Senate, No. 1446);

Designating school custodian day (see Senate, No. 2126);

Further regulating wastewater services in the town of Norfolk (see Senate, No. 3113);

Relative to the town administrator in the town of Milton (see Senate, No. 3127);

Amending the charter of the town of Tewksbury to change the name of the board of selectmen to select board (see Senate, No. 3128, amended);

(Which severally originated in the Senate);

Further regulating storage of alcoholic beverages (see House, No. 338);

Establishing recall elections in the town of Otis (see House, No. 826, amended);

Further regulating tax title expense (see House, No. 2150, changed);

Improving fire safety in the Commonwealth (see House, No. 2517);

Designating the last day of February as rare disease day in the Commonwealth (see House, No. 3101);

Designating May 6 as Moyamoya Disease awareness day (see House, No. 3211);

Changing the name of the board of selectmen of the town of Chilmark to select board (see House, No. 3985, amended);

Designating a certain bridge in the town of Duxbury as the George W. W. Scott bridge (see House, No. 4334);

Authorizing the town of Upton to establish a means tested senior citizen property tax exemption(see House, No. 4755);

Establishing certain employment contracts for the town of Milford (see House, No. 4887);

Designating a certain bridge in the town of Pembroke as the Judith Winsor Smith memorial bridge (see House, No. 4889);

Authorizing the town of Dedham to continue the employment of William Spillane as chief of the fire department (see House, No. 4998, amended);

Further regulating procurements by the city of Boston (see House, No. 5039, amended);

Exempting the redevelopment of certain affordable housing and branch library space in the Chinatown section of the city of Boston from public procurement laws (see House, No. 5097); and

Further regulating employment contracts for the director of public works in the town of Upton (see House, No. 5191);

(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.

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 one minute before two o'clock P.M., on motion of Mrs. Kane of Shrewsbury (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.