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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**THURSDAY, FEBRUARY 1, 2024.**

[12]

# JOURNAL OF THE HOUSE.

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Thursday, February 1, 2024.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Garballey of Arlington 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. Garballey), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Resignation of Representative Cutler of Duxbury.*

The following communication was read; and spread upon the records of the House, as follows:

January 25, 2024.

Honorable Steven T. James, *Clerk*  
House of Representatives  
State House, Room 145  
Boston, MA 02133

Dear Mr. Clerk:

It's been the honor of my professional career to serve the residents of the Sixth Plymouth district in the Massachusetts Legislature for the past eleven years. It's a job that I have truly loved!

Resignation of  
Representative  
Josh S. Cutler  
of Duxbury.

So, it is with mixed emotions but a grateful heart that I write to share that I will be stepping down as state representative to accept a position working for Governor Healey as undersecretary in the Executive Office of Labor and Workforce Development.

I am grateful for the privilege of serving in this historic institution under the leadership of Speaker Mariano and alongside my colleagues in the House. Your help and support over the years Mr. Clerk, as well as that of your staff, has also been so gratefully appreciated.

Please accept this letter as formal notice of my resignation as State Representative for the Sixth Plymouth District effective as of February 4, 2024 at 12:00 p.m.

Warmest regards,  
Josh S. Cutler  
*State Representative*

## *Appointments to a Joint Special Committee.*

The Speaker announced that (under the provisions of House order No. 4294) he had appointed Representatives Peisch of Wellesley, Day of Stoneham and Gordon of Bedford to the special joint committee established for the purpose of considering the initiative petitions transmitted to the Clerk of the House of Representatives by the Secretary of the Commonwealth in accordance with the requirements of Article XLVIII of the Amendments to the Constitution.

Initiative petitions.

The Minority Leader announced that (under the provisions of House order No. 4294) he had appointed Representative Vieira of Falmouth to serve as his designee on the special joint committee established for the purpose of considering the initiative petitions transmitted to the Clerk of the House of Representatives by the Secretary of the Commonwealth in accordance with the requirements of Article XLVIII of the Amendments to the Constitution.

Id.

*Appointment of the Minority Leader.*

The House Minority Leader announced that (under Section 241 of Chapter 111 of the General Laws) he had appointed Representative McKenna of Webster as his designee to the Rare Disease Advisory Council.

Rare disease advisory council.

*Guests of the House.*

During the session, the Chair (Mr. Garballey of Arlington), declared a brief recess and introduced, seated in the House Chamber, the Weston High School Girls Volleyball Team, winners of the Division 3 State Championship this past fall, led by Coach Eileen LeBlanc. They were the guests of Representative Peisch of Wellesley.

Weston High School girls volleyball team.

During the session, the Chair (Mr. Garballey of Arlington), declared a brief recess, and introduced, seated in the House Chamber, students from the Dana Hall School in Wellesley. They were the guests of Representative Peisch of Wellesley.

Wellesley,—  
Dana Hall School.

*Resolutions.*

Resolutions (filed with the Clerk by Representatives Ryan of Boston and Garcia of Chelsea) congratulating Bunker Hill Community College on its fiftieth anniversary, were referred, under Rule 85, to the committee on Rules.

Bunker Hill Community College.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Initiative Petitions.*

Initiative petition of Diana DiZoglio and others for the passage of An Act expressly authorizing the Auditor to audit the Legislature (House, No. 4251) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and

Auditor,—  
Audit the Legislature.

Rule 24, to the special joint committee on Initiative Petitions. Sent to the Senate for concurrence.

Initiative petition of Deborah Therese McCarthy and others for the passage of An Act requiring that districts certify that students have mastered the skills, competencies and knowledge of the state standards as a replacement for the MCAS graduation requirement (House, No. 4252) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the special joint committee on Initiative Petitions. Sent to the Senate for concurrence.

MCAS,—  
graduation  
requirement.

Initiative petition of Roxana Lorena Rivera and others for the passage of An Act giving transportation network drivers the option to form a union and bargain collectively (House, No. 4253) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Transportation  
drivers,—  
unionization.

Initiative petition of Irene S. Li and others for the passage of An Act to require the full minimum wage for tipped workers with tips on top (House, No. 4254) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Tipped  
workers,—  
minimum  
wage.

Initiative petition of Sarko Gergerian and others for the passage of An Act relative to the regulation and taxation of natural psychedelic substances (House, No. 4255) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Psychedelic  
substances,—  
regulation.

Initiative petition of Charles Dewey Ellison, III and others for the passage of An Act defining and regulating the relationship between network companies and app-based drivers for purposes of the General and Special Laws (House, No. 4256) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Transportation  
drivers,—  
regulation.

Initiative petition of Charles Dewey Ellison, III and others for the passage of An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the General Laws (House, No. 4257) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and

Id.

Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Initiative petition of Charles Dewey Ellison, III and others for the passage of An Act defining and regulating the relationship between network companies and app-based drivers for certain purposes of the General Laws (House, No. 4258) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Id.

Initiative petition of Charles Dewey Ellison, III and others for the passage of An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the General Laws (House, No. 4259) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Id.

Initiative petition of Charles Dewey Ellison, III and others for the passage of An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the General Laws (House, No. 4260) (received on January 16, 2024, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the Special Joint Committee on Initiative Petitions. Sent to the Senate for concurrence.

Id.

#### *Petitions.*

Petitions severally were presented and referred as follows:

By Representative Markey of Dartmouth, a petition (subject to Joint Rule 12) of Christopher M. Markey relative to emerging adult life sentences for first-degree murder.

Life sentences.

By Representative Moran of Lawrence, a petition (subject to Joint Rule 12) of Frank A. Moran relative to the Greater Lawrence Regional Vocational Technical High School.

Lawrence Regional Vocational School.

Severally, under Rule 24, to the committee on Rules.

#### *Paper from the Senate.*

A message from Her Excellency the Governor recommending legislation to empower municipalities and local governments (Senate, No. 2571), came from the Senate with the endorsement that it had been referred to the committee on Municipalities and Regional Government.

Municipalities,—  
local services.

On motion of Mr. Cusack of Braintree, the House then non-concurred with the Senate in its reference; and, on further motion of the same member, the message was referred, in non-concurrence, as follows:

So much as relates to sections 1 to 17, inclusive, 19, 20 and 21, 23, 24 and 25, 28 to 37, inclusive, 76 to 84, inclusive and 87,— to the committee on Municipalities and Regional Government; and

So much as relates to sections 18, 22, 26, 27, 38 to 75, inclusive, 85 and 86,— to the committee on Revenue.

Sent to the Senate its action.

### *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 Richard M. Haggerty relative to charter school expansion. To the committee on Education.

Charter schools.

Petition (accompanied by bill) of Daniel J. Hunt for legislation to provide creditable service for certain teachers for retirement purposes. To the committee on Public Service.

Teachers,— retirement.

Under suspension of the rules, on motion of Ms. Peisch of Wellesley, 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:

Establishing memorial markers in the towns of Milton and Canton in memory of certain law enforcement officers killed in the line of duty (House, No. 786);

Canton and Milton.

Reducing barriers to employment through credit discrimination (House, No. 1434);

Credit discrimination.

Relative to erecting a bench in honor of Rita Walsh in the Hyde Park neighborhood of Boston (House, No. 3965); and

Boston,— Walsh bench.

Exempting Thomas Romeo from the 75% pension and annuity limitation for police officers hired after January 1, 1988 set forth in Chapter 32, Section 7(2)(a)(ii) of the General Laws (House, No. 4164) [Local Approval Received];

North Reading,— Thomas Romeo.

Under suspension of Rule 7A, in each instance, on motion of Mr. Wong of Saugus, 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 Senate, No. 1337 and House, No. 2129, a Bill relative to facilitating the utilization of psychologists on the health care team (House, No. 2129).

Psychologists.

By the same member, for the same committee, on a petition, a Bill to close the achievement gap by addressing disparities in children's vision (House, No. 2132).

Children's vision.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to Long COVID related needs in the Commonwealth of Massachusetts (House, No. 2147).

Long COVID.

By the same member, for the same committee, on Senate, No. 1453 and House, No. 2150, a Bill relative to the definition of podiatry (House, No. 2150).

Podiatry,— definition.

By the same member, for the same committee, on Senate, No. 1446 and House, No. 2162, a Bill relative to acupuncture detoxification specialists (House, No. 2162).

Acupuncture.

By the same member, for the same committee, on a petition, a Bill relative to patient assessment and notification prior to prescribing certain medications (House, No. 2164).

Medications,—  
assessment and  
notification.

By the same member, for the same committee, on Senate, No. 1330 and House, No. 2182, a Bill to reduce incidence and death from pancreatic cancer (House, No. 2182).

Pancreatic  
cancer.

By the same member, for the same committee, on Senate, No. 1465 and House, No. 2215, a Bill protecting children from harmful diet pills and muscle-building supplements (House, No. 2215).

Supplements,—  
children.

By the same member, for the same committee, on Senate, No. 1426 and House, No. 2234, a Bill relative to source plasma donation centers (House, No. 2234).

Plasma donation  
centers.

By the same member, for the same committee, on Senate, No. 1468 and House, No. 2243, a Bill relative to certified medication aides (House, No. 2243).

Medication  
aides.

By the same member, for the same committee, on a petition, a Bill relative to videotaping, audiotaping and photographing persons receiving medical treatment (House, No. 3625).

Medical  
treatments,—  
videos, etc.

By the same member, for the same committee, on a petition, a Bill to improve access to breastfeeding care (House, No. 3626).

Breastfeeding,—  
access.

By the same member, for the same committee, on a petition, a Bill relative to parental notification about student health evaluations (House, No. 3764).

Parental  
notifications.

By the same member, for the same committee, on a petition, a Bill requiring automated external defibrillators at sporting events (House, No. 4121).

Sports,—  
defibrillators.

By the same member, for the same committee, on Senate, No. 1333 and House, No. 2146, a Bill prohibiting nonconsensual intimate examinations of anesthetized or unconscious patients (House, No. 4293).

Patients,—  
nonconsensual  
examinations.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Decker of Cambridge, for the committee on Public Health, on Senate, No. 1432 and House, No. 2195, a Bill relative to sexual assault counselor task force (House, No. 2195).

Sexual assault  
counselors,—  
task force.

By the same member, for the same committee, on Senate, No. 1374 and House, No. 2222, a Bill establishing a special commission to study the youth sports industry and other related matters (House, No. 2222, changed in lines 14 and 15 by striking out the following: “the financial strains that youth sports organizations have faced because of the COVID-19 pandemic; (iv)”); and in line 16 by striking out the following: “(v)” and inserting in place thereof the following: “(iv)”.

Youth sports.

By the same member, for the same committee, on a petition, a Bill relative to autopsy reports by the medical examiner (House, No. 3623).

Autopsy  
reports.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Ms. Decker of Cambridge, for the committee on Public Health, on Senate, No. 1459 and House, No. 2273, a Bill modernizing birth certificates (House, No. 4292). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Birth  
certificates.

### *Engrossed Bills.*

Engrossed bills

Validating the results of the annual town election held in the town of Lancaster (see House, No. 3578); and

Bills enacted.

Relative to the select board of the town of Northborough (see House, No. 3902, 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 Senate Bill establishing a special purpose revolving fund in the town of North Andover (Senate, No. 2454), 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

Establishing a sick leave bank for Nicole Halal, an employee of the Massachusetts Department of Transportation (printed as Senate, No. 2556);

Third reading bills.

Increasing the membership of the select board of the town of Merrimac from 3 members to 5 members (House, No. 4097); and

Amending the charter of the town of Westborough (House, No. 4202);

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.

#### *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.

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At twenty minutes after eleven o'clock A.M., on motion of Mr. Soter of Bellingham (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.