

UNCORRECTED PROOF

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

The Commonwealth of Massachusetts

2018

PRINTED BY ORDER OF THE HOUSE AND IN ACCORDANCE WITH THE
PROVISIONS OF HOUSE RULE 10 AND CHAPTER 3 OF THE
GENERAL LAWS.



2018

LIST OF PERSONS ELECTED TO SERVE
AS MEMBERS OF THE HOUSE OF REPRESENTATIVES
FOR THE YEARS 2017 — 2018.

D — Democrat. R — Republican.

BARNSTABLE COUNTY.

District 1 — Timothy R. Whelan (R) of Brewster — Barnstable: *Precinct 1*; Brewster: *Precincts 1, 2*; Dennis; Yarmouth: *Precincts 1, 2, 3, 4, 7*.

District 2 — William L. Crocker, Jr. (R) of Barnstable — Barnstable: *Precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 13*; Yarmouth: *Precincts 5, 6*.

District 3 — David T. Vieira (R) of Falmouth — Bourne: *Precincts 3, 4, 5, 6*; Falmouth: *Precincts 3, 4, 7, 8, 9*; Mashpee.

District 4 — Sarah K. Peake (D) of Provincetown — Brewster: *Precinct 3*; Chatham; Eastham; Harwich; Orleans; Provincetown; Truro; Wellfleet.

District 5 — Randy Hunt (R) of Sandwich — Barnstable: *Precincts 11, 12*; Bourne: *Precincts 1, 2, 7*; Sandwich; Plymouth: *Precinct 9 (Plymouth)*.

BARNSTABLE, DUKES AND NANTUCKET COUNTIES.

Barnstable, Dukes and Nantucket — Dylan A. Fernandes (D) of Nantucket — Falmouth: *Precincts 1, 2, 5, 6 (Barnstable Co.)*; Chilmark (*Dukes Co.*); Edgartown (*Dukes Co.*); Aquinnah (*Dukes Co.*); Gosnold (*Dukes Co.*); Oak Bluffs (*Dukes Co.*); Tisbury (*Dukes Co.*); West Tisbury (*Dukes Co.*); Nantucket (*Nantucket Co.*).

BERKSHIRE COUNTY.

District 1 — Gailanne M. Cariddi (D) of North Adams¹ — John Barrett, III (D) of North Adams² — Adams; Cheshire; Clarksburg; Florida; Hancock; Lanesborough; New Ashford; North Adams; Williamstown.

District 2 — Paul W. Mark (D) of Peru — Dalton; Hinsdale; Peru; Pittsfield: *Ward 1: Precinct B*; Savoy; Windsor; Bernardston (*Franklin Co.*); Charlemont (*Franklin Co.*); Colrain (*Franklin Co.*); Greenfield (*Franklin Co.*); Hawley (*Franklin Co.*); Heath (*Franklin Co.*); Leyden (*Franklin Co.*); Monroe (*Franklin Co.*); Northfield (*Franklin Co.*); Rowe (*Franklin Co.*).

District 3 — Tricia Farley-Bouvier (D) of Pittsfield — Pittsfield: *Ward 1: Precinct A, Wards 2, 3, 4, 5, 6, 7*.

District 4 — Smitty Pignatelli (D) of Lenox — Alford; Becket; Egremont; Great Barrington; Lee; Lenox; Monterey; Mount Washington; New Marlborough; Otis; Richmond; Sandisfield; Sheffield; Stockbridge; Tyringham; Washington; West Stockbridge; Blandford (*Hampden Co.*); Russell (*Hampden Co.*); Tolland (*Hampden Co.*).

BRISTOL COUNTY.

¹ Died June 17, 2017.

² Elected November 7, 2017; qualified November 15, 2017.

UNCORRECTED PROOF

District 1 — F. Jay Barrows (R) of Mansfield — Mansfield: *Precincts 2, 3, 6*; Norton: *Precincts 3, 4, 5*; Foxborough (*Norfolk Co.*).

District 2 — Paul R. Heroux³ (D) of Attleboro — Attleboro: *Wards 1, 2, Ward 3: Precinct A, Wards 4, 5, 6.*

District 3 — Shaunna L. O’Connell (R) of Taunton — Easton: *Precinct 6*; Taunton: *Wards 1, 2, Ward 3: Precinct A, Wards 5, 7, 8.*

District 4 — Steven S. Howitt (R) of Seekonk — Norton: *Precincts 1, 2*; Rehoboth; Seekonk; Swansea: *Precincts 4, 5.*

District 5 — Patricia A. Haddad (D) of Somerset — Dighton; Somerset; Swansea: *Precincts 1, 2, 3*; Taunton: *Ward 6.*

District 6 — Carole A. Fiola (D) of Fall River — Fall River: *Ward 5: Precincts B, C, Ward 6: Precincts C, Wards 7, 8, 9*; Freetown: *Precinct 1.*

District 7 — Alan Silvia (D) of Fall River — Fall River: *Ward 1: Precincts B, C, Wards 2, 3, 4, Ward 5: Precinct A.*

District 8 — Paul A. Schmid, III (D) of Westport — Fall River: *Ward 1: Precinct A, Ward 6: Precincts A, B*; Freetown: *Precincts 2, 3*; New Bedford: *Ward 1, Precincts D, E, F*; Westport.

District 9 — Christopher M. Markey (D) of Dartmouth — Dartmouth; New Bedford: *Ward 3: Precincts D, E, F.*

District 10 — William M. Straus (D) of Mattapoisett — Fairhaven; New Bedford: *Ward 3: Precinct A, Ward 4: Precincts D, E*; Marion (*Plymouth Co.*); Mattapoisett (*Plymouth Co.*); Rochester (*Plymouth Co.*).

District 11 — Robert M. Koczera (D) of New Bedford — Acushnet; New Bedford: *Ward 1: Precincts A, B, C, Ward 2, Ward 3: Precincts B, C.*

District 12 — Keiko M. Orrall (R) of Lakeville — Berkley; Taunton: *Ward 3: Precinct B, Ward 4*; Lakeville (*Plymouth Co.*); Middleborough: *Precincts 2, 4, 5 (Plymouth Co.)*.

District 13 — Antonio F. D. Cabral (D) of New Bedford — New Bedford: *Ward 4: Precincts A, B, C, F, Wards 5, 6.*

District 14 — Elizabeth A. Poirier (R) of North Attleborough — Attleboro: *Ward 3: Precinct B*; Mansfield: *Precincts 1, 5*; North Attleborough.

ESSEX COUNTY.

District 1 — James M. Kelcourse (R) of Amesbury — Amesbury; Newburyport; Salisbury.

District 2 — Lenny Mirra (R) of West Newbury — Boxford: *Precincts 2, 3*; Georgetown; Groveland; Haverhill: *Ward 4: Precinct 3, Ward 7: Precinct 3*; Merrimac; Newbury; West Newbury.

District 3 — Brian S. Dempsey (D) of Haverhill⁴ — Andres X. Vargas (D) of Haverhill⁵ — Haverhill: *Ward 1, Ward 2: Precinct 3, Ward 3, Ward 4: Precincts 1, 2, Ward 5: Precincts 1, 3, Ward 6.*

³ Resigned January 2, 2018.

⁴ Resigned July 19, 2017.

⁵ Elected November 7, 2017; qualified November 15, 2017.

UNCORRECTED PROOF

District 4 — Bradford Hill (R) of Ipswich — Hamilton; Ipswich; Manchester-by-the-Sea; Rowley; Topsfield; Wenham.

District 5 — Ann-Margaret Ferrante (D) Gloucester — Essex; Gloucester; Rockport.

District 6 — Jerald A. Parisella (D) of Beverly — Beverly.

District 7 — Paul F. Tucker (D) of Salem — Salem.

District 8 — Lori A. Ehrlich (D) Marblehead — Lynn: *Ward 3: Precinct 4, Ward 4: Precinct 4; Marblehead; Swampscott.*

District 9 — Donald H. Wong (R) of Saugus — Lynn: *Ward 1: Precincts 1, 2; Saugus: Precincts 1, 2, 4, 5, 6, 7, 8, 9; Wakefield: Precincts 1, 2, 3, 7 (Middlesex Co.).*

District 10 — Daniel F. Cahill (D) of Lynn — Lynn: *Ward 1: Precincts 3, 4, Ward 2, Ward 3: Precincts 1, 2, 3, Ward 4: Precincts 1, 2, Ward 5: Precincts 2, 3.*

District 11 — Brendan P. Crighton (D) of Lynn — Lynn: *Ward 4: Precinct 3, Ward 5: Precincts 1, 4, Wards 6, 7; Nahant.*

District 12 — Thomas P. Walsh (D) of Peabody — Peabody: *Wards 1, 2, 3, 4, Ward 5: Precincts 1, 3.*

District 13 — Theodore C. Speliotis (D) of Danvers — Danvers; Middleton: *Precinct 2; Peabody: Ward 5: Precinct 2, Ward 6.*

District 14 — Diana DiZoglio (D) of Methuen — Haverhill: *Ward 7: Precinct 2; Lawrence: Ward A: Precincts 1, 3, Ward F: Precinct 1; Methuen: Precincts 3, 7, 10; North Andover: Precincts 1, 2, 3, 4, 5.*

District 15 — Linda Dean Campbell (D) of Methuen — Haverhill: *Ward 2: Precincts 1, 2, Ward 5: Precinct 2, Ward 7: Precinct 1; Methuen: Precincts 1, 4, 5, 6, 8, 9, 11, 12.*

District 16 — Juana B. Matias (D) of Lawrence — Lawrence: *Ward A: Precincts 2, 4, Ward B, Ward C: Precinct 4, Ward E: Precincts 2, 3, 4, Ward F: Precinct 2, 3, 4.*

District 17 — Frank A. Moran (D) of Lawrence — Andover: *Precincts 2, 3, 4; Lawrence: Ward C, Precincts 1, 2, 3, Ward D, Ward E, Precinct 1; Methuen: Precinct 2.*

District 18 — James J. Lyons, Jr. (R) of Andover — Andover: *Precincts 1, 5, 6, 7, 8, 9; Boxford: Precinct 1; North Andover: Precincts 6, 7, 8; Tewksbury: Precincts 3, 3A (Middlesex County).*

FRANKLIN COUNTY.

District 1 — Stephen Kulik (D) of Worthington — Ashfield; Buckland; Conway; Deerfield; Leverett; Montague; Shelburne; Shutesbury; Sunderland; Whately; Chester (*Hampden Co.*); Chesterfield (*Hampshire Co.*); Cummington (*Hampshire Co.*); Goshen (*Hampshire Co.*); Huntington (*Hampshire Co.*); Middlefield (*Hampshire Co.*); Plainfield (*Hampshire Co.*); Williamsburg (*Hampshire Co.*); Worthington (*Hampshire Co.*).

District 2 — Susannah M. Whipps (U) of Athol — Erving; Gill; New Salem; Orange; Warwick; Wendell; Belchertown: *Precinct A (Hampshire Co.); Athol (Worcester Co.); Petersham (Worcester Co.); Phillipston (Worcester Co.); Royalson (Worcester Co.); Templeton (Worcester Co.).*

HAMPDEN COUNTY.

District 1 — Todd M. Smola (R) of Warren — Brimfield; Holland; Palmer; Wales; Ware: *Precincts B, C (Hampshire Co.); Sturbridge (Worcester Co.); Warren (Worcester Co.).*

UNCORRECTED PROOF

District 2 — Brian M. Ashe (D) Longmeadow — East Longmeadow: *Precincts 2, 3, 4*; Hampden; Longmeadow; Monson.

District 3 — Nicholas A. Boldyga (R) of Southwick — Agawam; Granville; Southwick.

District 4 — John C. Velis (D) of Westfield — Westfield.

District 5 — Aaron Vega (D) of Holyoke — Holyoke.

District 6 — Michael J. Finn (D) of West Springfield — Chicopee: *Ward 2: Precinct A, Ward 3: Precinct A, Ward 4: Precinct A*; Springfield: *Ward 2: Precinct E*; West Springfield.

District 7 — Thomas M. Petrolati (D) of Ludlow — Chicopee: *Ward 6: Precinct B*; Ludlow; Springfield: *Ward 8: Precincts E, F, G*; Belchertown: *Precincts B, C, D (Hampshire Co.)*.

District 8 — Joseph F. Wagner (D) of Chicopee — Chicopee: *Ward 1, Ward 2: Precinct B, Ward 3: Precinct B, Ward 4: Precinct B, Ward 5: Precinct B, Ward 6: Precinct A, Wards 7, 8, 9*.

District 9 — José F. Tosado (D) of Springfield — Chicopee: *Ward 5: Precinct A*; Springfield: *Ward 2: Precincts A, B, C, D, F, G, Ward 5: Precincts C, D, G, H, Ward 7: Precincts F, H, Ward 8: Precincts A, B, D, H*.

District 10 — Carlos Gonzalez (D) of Springfield — Springfield: *Ward 1, Ward 3: Precincts B, C, D, E, F, G, H, Ward 6: Precincts A, B, F*.

District 11 — Bud L. Williams (D) of Springfield — Springfield: *Ward 2: Precinct H, Ward 3: Precinct A, Ward 4, Ward 5: Precincts A, B, E, F, Ward 6: Precinct E, Ward 7: Precinct A, Ward 8: Precinct C*.

District 12 — Angelo J. Puppolo, Jr. (D) of Springfield — East Longmeadow: *Precinct 1*; Springfield: *Ward 6: Precincts C, D, G, H, Ward 7: Precincts B, C, D, E, G*; Wilbraham.

HAMPSHIRE COUNTY.

District 1 — Peter V. Kocot (D) of Northampton — Hatfield; Northampton; Southampton; Westhampton; Montgomery (*Hampden Co.*).

District 2 — John W. Scibak (D) of South Hadley — Easthampton; Granby: *Precinct 2*; Hadley; South Hadley.

District 3 — Solomon Goldstein- Rose (D) of Amherst — Amherst; Granby: *Precinct 1*; Pelham.

MIDDLESEX COUNTY.

District 1 — Sheila C. Harrington (R) of Groton — Ayer: *Precinct 1*; Ashby; Dunstable; Groton; Pepperell; Townsend.

District 2 — James Arciero (D) of Westford — Chelmsford: *Precincts 5, 7, 8*; Littleton; Westford.

District 3 — Kate Hogan (D) of Stow — Hudson; Maynard; Stow; Bolton (*Worcester Co.*).

District 4 — Danielle W. Gregoire (D) of Marlborough — Marlborough: *Ward 2: Precinct 1, Wards 3, 4, 5, 6, Ward 7: Precinct 2*; Northborough: *Precincts 1, 3 (Worcester Co.)*; Westborough: *Precincts 1, 3 (Worcester Co.)*.

District 5 — David Paul Linsky (D) of Natick — Natick; Sherborn; Millis: *Precincts 2, 3 (Norfolk Co.)*.

District 6 — Chris Walsh (D) of Framingham — Framingham: *Precincts 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 15*.

UNCORRECTED PROOF

District 7 — Jack Patrick Lewis (D) of Framingham — Ashland; Framingham: *Precincts 8, 13, 14, 16, 17, 18.*

District 8 — Carolyn C. Dykema (D) Holliston — Holliston; Hopkinton; Southborough (Worcester Co.); Westborough: *Precinct 2 (Worcester Co.).*

District 9 — Thomas M. Stanley (D) of Waltham — Lincoln; Waltham: *Wards 1, 2, 3, Ward 4: Precinct 1, Ward 5: Precinct 2, Ward 6: Precinct 1, Ward 7: Precinct 1.*

District 10 — John J. Lawn, Jr. (D) of Watertown — Newton: *Ward 1: Precincts 1, 4; Waltham: Ward 4: Precinct 2, Ward 5: Precinct 1, Ward 6: Precinct 2, Ward 7: Precinct 2, Wards 8, 9; Watertown: Precincts 10, 11, 12.*

District 11 — Kay Khan (D) of Newton — Newton: *Ward 1: Precincts 2, 3, Wards 2, 3, 4, Ward 7: Precinct 2.*

District 12 — Ruth B. Balsler (D) of Newton — Newton: *Wards 5, 6, Ward 7: Precincts 1, 3, 4, Ward 8.*

District 13 — Carmine Lawrence Gentile (D) of Sudbury — Framingham: *Precinct 3; Marlborough: Ward 1, Ward 2: Precinct 2, Ward 7: Precinct 1; Sudbury; Wayland: Precincts 1, 2, 3.*

District 14 — Cory Atkins (D) of Concord — Acton: *Precincts 1, 2, 6; Carlisle; Chelmsford: Precincts 1, 9; Concord.*

District 15 — Jay R. Kaufman (D) of Lexington — Lexington; Woburn: *Wards 1, 7.*

District 16 — Thomas A. Golden, Jr. (D) of Lowell — Chelmsford: *Precincts 2, 3, 6; Lowell: Wards 5, 6, 9.*

District 17 — David M. Nangle (D) of Lowell — Chelmsford: *Precinct 4; Lowell: Ward 1, Ward 2: Precinct 3, Ward 4: Precincts 2, 3, Wards 10, 11.*

District 18 — Rady Mom (D) of Lowell — Lowell: *Ward 2: Precincts 1, 2, Ward 3, Ward 4: Precinct 1, Wards 7, 8.*

District 19 — James R. Miceli (D) of Wilmington — Tewksbury: *Precincts 1, 1A, 2, 2A, 4, 4A; Wilmington: Precincts 1, 2, 4, 5, 6.*

District 20 — Bradley H. Jones, Jr. (R) of North Reading — North Reading; Reading: *Precincts 1, 6, 7, 8; Lynnfield (Essex Co.); Middleton: Precinct 1 (Essex Co.).*

District 21 — Kenneth I. Gordon (D) of Bedford — Bedford; Burlington; Wilmington: *Precinct 3.*

District 22 — Marc T. Lombardo (R) of Billerica — Billerica.

District 23 — Sean Garballey (D) of Arlington — Arlington: *Precincts 1, 3, 5, 6, 7, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21; Medford: Ward 3: Precinct 2, Ward 6: Precincts 1, 2.*

District 24 — David M. Rogers (D) of Cambridge — Arlington: *Precincts 2, 4, 8, 10, 12; Belmont; Cambridge: Ward 11: Precincts 1, 3.*

District 25 — Marjorie C. Decker (D) of Cambridge — Cambridge: *Ward 4, Ward 6: Precincts 2, 3, Wards 7, 8, Ward 10: Precincts 1, 2.*

District 26 — Mike Connolly (D) of Cambridge — Cambridge: *Ward 1, Ward 2: Precinct 1, Ward 3, Ward 6: Precinct 1; Somerville: Ward 1, Ward 2: Precinct 1.*

District 27 — Denise Provost (D) of Somerville — Somerville: *Ward 2: Precincts 2, 3, Wards 3, 5, 6.*

UNCORRECTED PROOF

District 28 — Joseph W. McGonagle, Jr. (D) of Everett — Everett.

District 29 — Jonathan Hecht (D) of Watertown — Cambridge: *Ward 9, Ward 10: Precinct 3, Ward 11: Precinct 2*; Watertown: *Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9*.

District 30 — James J. Dwyer (D) of Woburn — Reading: *Precincts 2, 3, 4, 5*; Woburn: *Wards 2, 3, 4, 5, 6*.

District 31 — Michael S. Day (D) of Stoneham — Stoneham; Winchester.

District 32 — Paul Brodeur (D) of Melrose — Malden: *Ward 5: Precinct 2*; Melrose; Wakefield: *Precincts 4, 5, 6*.

District 33 — Steven Ultrino (D) of Malden — Malden: *Ward 2, Ward 3: Precinct 1, Ward 4, Ward 5: Precinct 1, Ward 6, Ward 7: Precinct 2, Ward 8*.

District 34 — Christine P. Barber (D) of Somerville — Medford: *Wards 4, 5, Ward 7: Precinct 1, Ward 8: Precinct 2*; Somerville: *Wards 4, 7*.

District 35 — Paul J. Donato (D) of Medford — Malden: *Ward 1, Ward 3: Precinct 2, Ward 7: Precinct 1*; Medford: *Wards 1, 2, Ward 3: Precinct 1, Ward 7: Precinct 2, Ward 8: Precinct 1*.

District 36 — Colleen M. Garry (D) of Dracut — Dracut; Tyngsborough.

District 37 — Jennifer E. Benson (D) Lunenburg — Acton: *Precincts 3, 4, 5*; Ayer: *Precinct 2*; Boxborough; Shirley; Harvard (*Worcester Co.*); Lunenburg: *Precincts A, C, D (Worcester Co.)*.

NORFOLK COUNTY.

District 1 — Bruce J. Ayers (D) of Quincy — Quincy: *Ward 3: Precincts 4, 5, Ward 4: Precincts 1, 3, Ward 5: Precinct 2, Ward 6*; Randolph: *Precincts 5, 6, 11, 12*.

District 2 — Tackey Chan (D) of Quincy — Quincy: *Ward 1, Ward 3: Precincts 1, 2, Ward 4: Precincts 2, 4, Ward 5: Precincts 1, 3, 4, 5*.

District 3 — Ronald Mariano (D) of Quincy — Holbrook: *Precincts 2, 3, 4*; Quincy: *Ward 2, Ward 4: Precinct 5*; Weymouth: *Precincts 5, 6, 9, 12, 16*.

District 4 — James M. Murphy (D) of Weymouth — Weymouth: *Precincts 1, 2, 3, 4, 7, 8, 10, 11, 13, 14, 15, 17, 18*; Hingham: *Precinct 2 (Plymouth Co.)*.

District 5 — Mark J. Cusack (D) of Braintree — Braintree; Holbrook: *Precinct 1*; Randolph: *Precinct 4*.

District 6 — William C. Galvin (D) of Canton — Avon; Canton; Stoughton: *Precincts 1, 5, 7, 8*.

District 7 — William J. Driscoll (D) of Milton — Milton: *Precincts 3, 4, 5, 6, 7, 8, 9, 10*; Randolph: *Precincts 1, 2, 3, 7, 8, 9, 10*.

District 8 — Louis L. Kafka (D) of Stoughton — Sharon; Stoughton: *Precincts 2, 3, 4, 6*; Walpole: *Precincts 3, 4*; Mansfield: *Precinct 4 (Bristol Co.)*.

District 9 — Shawn Dooley (R) of Norfolk — Medfield: *Precincts 3, 4*; Millis: *Precinct 1*; Norfolk; Plainville; Walpole: *Precinct 5*; Wrentham.

District 10 — Jeffrey N. Roy (D) of Franklin — Franklin; Medway: *Precincts 2, 3, 4*.

District 11 — Paul McMurtry (D) of Dedham— Dedham; Walpole: *Precinct 8*; Westwood.

District 12 — John H. Rogers (D) of Norwood— Norwood; Walpole: *Precincts 1, 2, 6, 7*.

UNCORRECTED PROOF

District 13 — Denise C. Garlick (D) of Needham — Dover; Medfield: *Precincts 1, 2*; Needham.

District 14 — Alice Hanlon Peisch (D) of Wellesley — Wellesley; Wayland: *Precinct 4 (Middlesex Co.)*; Weston (*Middlesex Co.*).

District 15 — Frank I. Smizik (D) of Brookline — Brookline: *Precincts 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13*.

PLYMOUTH COUNTY.

District 1 — Mathew J. Muratore (R) of Plymouth — Plymouth: *Precincts 2, 3, 4, 5, 6, 7, 8, 10, 12, 14, 15*.

District 2 — Susan Williams Gifford (R) of Wareham — Carver; Middleborough: *Precincts 3, 6*; Wareham.

District 3 — Joan Meschino (D) of Hingham — Hingham: *Precincts 1, 3, 4, 5, 6*; Hull; Scituate: *Precinct 3*; Cohasset (*Norfolk Co.*).

District 4 — James M. Cantwell (D) of Marshfield — Marshfield; Scituate: *Precincts 1, 2, 4, 5, 6*.

District 5 — David F. DeCoste (R) of Norwell — Hanover; Norwell; Rockland.

District 6 — Josh S. Cutler (D) of Duxbury — Duxbury: *Precincts 2, 3, 4, 5, 6*; Hanson; Pembroke.

District 7 — Geoff Diehl (R) of Whitman — Abington; East Bridgewater: *Precincts 2, 3, 4*; Whitman.

District 8 — Angelo L. D’Emilia (R) of Bridgewater — Bridgewater; Raynham (*Bristol Co.*).

District 9 — Gerard J. Cassidy (D) of Brockton — Brockton: *Ward 2, Ward 3: Precincts A, B, C, Ward 4: Precincts A, D, Ward 5: Precinct A, Ward 7: Precincts A, B*.

District 10 — Michelle M. DuBois (D) of Brockton — Brockton: *Ward 4: Precincts B, C, Ward 5: Precincts B, C, D, Ward 6*; East Bridgewater: *Precinct 1*; West Bridgewater.

District 11 — Claire D. Cronin (D) of Easton — Brockton: *Ward 1, Ward 3: Precinct D, Ward 7: Precincts C, D*; Easton: *Precincts 1, 2, 3, 4, 5 (Bristol Co.)*

District 12 — Thomas J. Calter (D) of Kingston — Duxbury: *Precinct 1*; Halifax; Kingston; Middleborough: *Precinct 1*; Plymouth: *Precincts 1, 11, 13*; Plympton.

SUFFOLK COUNTY.

District 1 — Adrian C. Madaro (D) of Boston: *Ward 1: Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14*.

District 2 — Daniel J. Ryan (D) of Boston — Boston: *Ward 2*; Chelsea: *Wards 1, 2, Ward 3: Precincts 1, 3, Ward 4: Precincts 1, 4*.

District 3 — Aaron Michlewitz (D) of Boston — Boston: *Ward 3: Precincts 1, 2, 3, 4, 6, 7, 8, Ward 4: Precincts 1, 3, Ward 5: Precinct 1*.

District 4 — Nick Collins (D) of Boston — Boston: *Ward 1: Precinct 15, Ward 6, Ward 7: Precincts 1, 2, 3, 4, 5, 6, 7, 8, Ward 13: Precinct 3*.

District 5 — Evandro C. Carvalho (D) of Boston — Boston: *Ward 7: Precinct 10, Ward 8: Precincts 5, 6, 7, Ward 12: Precinct 6, Ward 13: Precincts 1, 2, 4, 5, Ward 14: Precinct 1, Ward 15: Precincts 1, 2, 3, 4, 5, 7, 8, 9, Ward 17: Precincts 1, 2*.

UNCORRECTED PROOF

District 6 — Russell E. Holmes (D) of Boston — Boston: *Ward 14: Precincts 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, Ward 17: Precincts 6, 7, 8, 9, Ward 18: Precincts 7, 8, Ward 19: Precinct 12.*

District 7 — Chynah Tyler (D) of Boston — Boston: *Ward 4: Precincts 8, 9, 10, Ward 5: Sub-precinct 2A, Ward 9: Precincts 4, 5, Ward 12: Precincts 1, 2, 3, 4, 5, 8, Ward 21: Precinct 1.*

District 8 — Jay D. Livingstone (D) of Boston — Boston: *Ward 3: Precinct 5, Ward 4: Precinct 6, Ward 5: Precincts 3, 4, 5, 6, 7, 8, 9, 11; Cambridge: Ward 2: Precincts 2, 3, Ward 5 (Middlesex Co.).*

District 9 — Byron Rushing (D) of Boston — Boston: *Ward 4: Precincts 2, 4, 5, 7, Ward 5: Precincts 2, 10, Ward 8: Precincts 1, 2, 3, 4; Ward 9: Precincts 1, 2, 3.*

District 10 — Edward F. Coppinger (D) of Boston — Boston: *Ward 20: Precincts 1, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20; Brookline: Precincts 14, 15, 16 (Norfolk Co.).*

District 11 — Elizabeth A. Malia (D) of Boston — Boston: *Ward 11, Ward 12: Precincts 7, 9, Ward 14: Precinct 3, Ward 19: Precincts 6, 7, 9, 10, 11, 13.*

District 12 — Daniel R. Cullinane (D) of Boston — Boston: *Ward 16: Precincts 8, 11, Ward 17: Precincts 4, 10, 11, 12, 13, 14, Ward 18: Precincts 1, 2, 3, 4, 5, 6, 21; Milton: Precincts 1, 2 (Norfolk Co.).*

District 13 — Daniel J. Hunt (D) of Boston — Boston: *Ward 7: Precinct 9, Ward 13: Precincts 6, 7, 8, 9, 10, Ward 15: Precinct 6, Ward 16: Precincts 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, Ward 17: Precincts 3, 5; Quincy: Ward 3: Precinct 3 (Norfolk Co.).*

District 14 — Angelo M. Scaccia (D) of Boston — Boston: *Ward 18: Precincts 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, Ward 20: Precincts 3, 8, 9.*

District 15 — Jeffrey Sánchez (D) of Boston — Boston: *Ward 10, Ward 19: Precincts 1, 2, 3, 4, 5, 8, Ward 20: Precincts 2, 4; Brookline: Precinct 5 (Norfolk Co.).*

District 16 — RoseLee Vincent (D) of Revere — Chelsea: *Ward 3: Precincts 2, 4, Ward 4: Precincts 2, 3; Revere: Ward 1: Precinct 3, Ward 3: Precinct 1, Ward 4, Ward 5: Precincts 1, 2, Ward 6; Saugus: Precincts 3, 10 (Essex Co.).*

District 17 — Kevin G. Honan (D) of Boston — Boston: *Ward 21: Precincts 3, 5, 6, 7, 8, 9, 10, 11, 12, 15, Ward 22: Precincts 2, 3, 6, 9, 10.*

District 18 — Michael J. Moran (D) of Boston — Boston: *Ward 21: Precincts 2, 4, 13, 14, 15, 16, Ward 22: Precincts 1, 4, 5, 7, 8, 11, 12, 13; Brookline: Precinct 1 (Norfolk Co.).*

District 19 — Robert A. DeLeo (D) of Winthrop — Revere: *Ward 1: Precincts 1, 2, Ward 2, Ward 3: Precincts 2, 3, Ward 5: Precinct 3; Winthrop.*

WORCESTER COUNTY.

District 1 — Kimberly N. Ferguson (R) of Holden — Holden; Paxton; Princeton; Rutland; Sterling: *Precinct 1; Westminster: Precinct 2.*

District 2 — Jonathan D. Zlotnik (D) of Gardner — Ashburnham; Gardner; Winchendon; Westminster: *Precinct 1.*

District 3 — Stephan Hay (D) of Fitchburg — Fitchburg; Lunenburg: *Precinct B.*

District 4 — Natalie Higgins (D) of Leominster — Leominster.

District 5 — Donald R. Berthiaume, Jr. (R) of Spencer — Barre; Brookfield; East Brookfield; Hardwick; Hubbardston; New Braintree; North Brookfield; Oakham; Spencer: *Precincts 2, 3, 4; West Brookfield; Ware: Precinct A (Hampshire Co.).*

UNCORRECTED PROOF

District 6 — Peter J. Durant (R) of Spencer — Charlton: *Precincts 1, 2, 3*; Dudley; Southbridge; Spencer: *Precinct 1*.

District 7 — Paul K. Frost (R) of Auburn — Auburn; Charlton: *Precinct 4*; Millbury; Oxford: *Precincts 2, 3*.

District 8 — Kevin J. Kuros (R) of Uxbridge — Blackstone; Millville; Uxbridge; Bellingham (*Norfolk Co.*).

District 9 — David K. Muradian, Jr. (R) of Grafton — Grafton; Northbridge; Upton.

District 10 — Brian W. Murray (D) of Milford — Hopedale; Mendon; Milford; Medway: *Precinct 1 (Norfolk Co.)*.

District 11 — Hannah E. Kane (R) of Shrewsbury — Shrewsbury; Westborough: *Precincts 4, 5*.

District 12 — Harold P. Naughton, Jr. (D) of Clinton — Berlin; Boylston; Clinton; Lancaster; Northborough: *Precincts 2, 4*; Sterling: *Precinct 2*.

District 13 — John J. Mahoney (D) of Worcester — Worcester: *Ward 1: Precincts 1, 2, 3, 4, Ward 3: Precinct 2, Ward 9, Ward 10: Precinct 1*.

District 14 — James J. O'Day (D) of West Boylston — West Boylston; Worcester: *Ward 1: Precinct 5, Ward 2, Ward 3: Precincts 1, 3, 5*.

District 15 — Mary S. Keefe (D) of Worcester — Worcester: *Ward 3: Precinct 4, Ward 4, Ward 5: Precinct 3, Ward 10: Precincts 1, 2, 3, 4, 5*.

District 16 — Daniel M. Donahue (D) of Worcester — Worcester: *Ward 5: Precincts 1, 2, 4, 5, Ward 6, Ward 8: Precincts 1, 5*.

District 17 — Kate D. Campanale (R) of Leicester — Leicester; Worcester: *Ward 7, Ward 8: Precincts 2, 3, 4*.

District 18 — Joseph D. McKenna (R) of Webster — Douglas; Oxford: *Precincts 1, 4*; Sutton; Webster.

JOURNAL OF THE HOUSE.

Wednesday, January 3, 2018.

The second annual session of the one hundred and ninetieth General Court of the Commonwealth of Massachusetts convened at the State House in Boston on the first Wednesday of January, being the third day of the year two thousand eighteen and of the year of the independence of the United States of America the two hundred and forty second.

General
Court
convened.

And the members of the House of Representatives, having assembled in the Representatives' Chamber, were called to order at three minutes after eleven o'clock A.M.

House called
to order.

Prayer.

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, it is from Your generous Spirit that the many gifts of our Commonwealth flow. We are thankful for the blessings we share and enjoy today; they warm our hearts even during these record cold days.

Prayer.

During the many days of the Session ahead there is much to learn and to study; there is much work to be done.

Thank you God for the opportunity and the ability of this General Court to serve the almost 7 million citizens of our great Commonwealth of Massachusetts.

Bless our legislators and their dedicated staff with good health.

May this body of women and men seek unity of purpose among each member, respecting differences while crafting meaningful and effective legislation.

Give our legislators the courage to persevere in negotiation.

Make them steadfast in hearing thoughtful, informed voices that advocate what may be different approaches, new ideas and creative solutions to the problems we face as a Commonwealth.

May our lawmakers have the humility and grace to listen to the hidden and powerless voices of those who are in need of their capable skills.

May Your Spirit of Grace and Mercy assist these elected officials and their staff during the many long hours of reading reports and listening to testimonials and drafting documents.

Help these lawmakers face the many responsibilities and challenges that lie before them in dockets, calendars, and in meeting deadlines.

Bless the efforts of the House Clerk and his staff entrusted with the important task of keeping accurate journals and records.

Bless our public safety officials and our Court officers in this chamber and throughout the State House; may their eyes and ears be sharp while offering a spirit of hospitality to all who enter this historic building.

And bless all those who visit the State House either as tourists, teachers,

students, or concerned citizens.

We ask Your blessing also upon the legislative agents who work on behalf of various organizations; may they also seek the well-being of those who lack the resources they enjoy having at their disposal.

Bless our student interns with eagerness to learn the art of law-making and politics. May the elected officials they assist inspire them to careers in public service.

We ask You to also bless the reporters and staff of the State House News Service. May they report any newsworthy items fairly and judiciously.

May Your Good and Gracious Spirit be with all of us here today and in the many days that follow in this the Second Annual Session of the 190th legislative session of the General Court of the Commonwealth of Massachusetts.

Amen.

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

During the session, at the request of the Speaker, the members, guests and employees stood in a moment of silent tribute to the memory of Deirdre Roney.

Deirdre
Roney.

Deirdre had a long and distinguished legal career in public service, most recently serving as the General Counsel to the State Ethics Commission. She was an invaluable resource to members and staff of the House of Representatives. The House extended its deepest condolences to her family, especially her spouse Patrick Taylor and her son Nathaniel Taylor, and to her colleagues at the Massachusetts Ethics Commission.

Notices of the Convening of the General Court.

On motion of Mr. Galvin of Canton,—

Ordered, That a special committee be appointed to notify the Senate that the House has been called to order and is ready to proceed to business.

Senate
notified of
convening
of House.

Representatives Driscoll of Milton, Vincent of Revere, Livingstone of Boston, Whipps of Athol, O'Day of West Boylston, Peisch of Wellesley, Gentile of Sudbury, Connolly of Cambridge, Barber of Somerville, Campbell of Methuen, Orrall of Lakeville, Farley-Bouvier of Pittsfield and Galvin of Canton were appointed to the committee.

Subsequently Mr. Driscoll, for the committee, reported that they had attended to the duty assigned to them.

A message was received from the Senate, by a special committee thereof, announcing that said branch had convened and was ready to proceed to business.

Notice of
convening
of Senate.

On motion of Ms. Ferrante of Gloucester,—

Ordered, That a committee of members of the House of Representatives be appointed to wait upon His Excellency the Governor, Charles D. Baker, Her Honor the Lieutenant-Governor, Karyn E. Polito, and the Honorable Council and inform them that the House of Representatives are now assembled and ready to proceed to

Governor, etc.
notified of
convening
of General
Court.

business.

Representatives Nangle of Lowell, Hunt of Boston, Chan of Quincy, Donato of Medford, Kafka of Stoughton, Lewis of Framingham, Walsh of Peabody, McKenna of Webster, Muratore of Plymouth, Murray of Milford, Honan of Boston, Schmid of Westport, Ferrante of Gloucester, Provost of Somerville, Hecht of Watertown, DuBois of Brockton, Frost of Auburn, Wong of Saugus, Tucker of Salem, Whelan of Brewster, Vargas of Haverhill, Sánchez of Boston, Meschino of Hull, Crocker of Barnstable, Cahill of Lynn, Howitt of Seekonk, McGonagle of Everett, Ehrlich of Marblehead, Kelcourse of Amesbury, Fiola of New Bedford, Scibak of South Hadley, Day of Stoneham, Cassidy of Brockton, Silvia of Fall River, Coppinger of Boston, Cabral of New Bedford, Hill of Ipswich and Gifford of Wareham were appointed to the committee.

Subsequently Mr. Nangle, for the committee, reported that they had attended to the duty assigned to them.

Order.

On motion of Mr. Connolly of Cambridge,—

Ordered, That notwithstanding the provisions of any rule to the contrary, the House membership of all committees of the General Court for the year two thousand eighteen shall be the same as at the time of dissolution of the two thousand seventeen session of the General Court.

Committee membership.

On motion of Mr. Livingstone of Boston,—

Ordered, That the Clerk be directed to spread upon the records of the House the daily prayers offered by the duly appointed Chaplain.

Spreading of prayers.

On motion of Mr. McMurtry of Dedham,—

Ordered, That the Clerk begin the keeping of, and making available daily in a format determined by the Speaker in consultation with the Clerk, the Journal, as authorized by Rule 10, and that the daily reading thereof be dispensed with, that, under authority of Section 22A of Chapter 3 of the General Laws, copies of the Journal for the entire session be printed and bound with the customary appendices and an index; and that an attested bound copy be deposited with the Secretary of the Commonwealth as the official Journal of the House.

Journal of the House.

Resolutions.

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

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Tadhg H. Matthews on receiving the Eagle Award from the Boy Scouts of America;

Tadhg Matthews.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Daniel P. Whelan on receiving the Eagle Award from the Boy Scouts of America;

Daniel Whelan.

Resolutions (filed by Ms. Garlick of Needham) congratulating Brian Gilfoil Mitchell on receiving the Eagle Award of the Boy Scouts of America; and

Brian Mitchell.

Resolutions (filed by Ms. Garlick of Needham) congratulating Gregory Michael Thisse on receiving the Eagle Award of the Boy Scouts of America;

Gregory Thisse.

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. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Massachusetts Clean Energy Center (see Section 5 of Chapter 23J of the General Laws) submitting the 2017 annual report (accompanied by financial statements for fiscal year ended June 30, 2017), was placed on file.

Clean Energy
Center.

Paper from the Senate.

A Bill relative to the charter of the town of Wareham (Senate, No. 2144) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wareham,—
police
captain.

Engrossed Bills.

Engrossed bills

Authorizing the city of Salem to grant an additional license for the sale of wines and malt beverages not to be drunk on the premise (see Senate, No. 2140); and

Bills
enacted.

Authorizing the city of Salem to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (see Senate, No. 2142);

(Which severally originated in the Senate);

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 Speaker and sent to the Senate.

Order.

On motion of Mrs. Haddad of Somerset,—

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

Next
sitting.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at fourteen minutes before twelve o'clock noon, on motion of Mr. Frost of Auburn, the House adjourned, to meet the following Friday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



FRIDAY, JANUARY 5, 2018.

[2]

JOURNAL OF THE HOUSE.

Friday, January 5, 2018.

Met at six minutes after 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 Mr. Collins of Boston, the members, guests and employees stood in a moment of silent tribute to the memory of John Flaherty of South Boston.

John Flaherty of South Boston.

Mr. Flaherty served in the United States Navy during the Korean War, was a Local 25 Teamster, Suffolk Superior Trial Court Officer, Bail Commissioner and co-owner of the Cornerstone Restaurant in South Boston.

He is survived by his children Frederick and Melissa (Pignatelli) Peterson, Todd and Diane (Shevory) Peterson, Nicole Peterson and beloved companion Jane (Peterson) Flaherty. The loving brother to Honorable Michael Flaherty and the late Margaret (McGlone) Flaherty, the late Mary (Flaherty) and Robert Devine, the late Winifred (Flaherty) and John McGrath, Anne-Marie (Flaherty) and Ronald Adams, Margaret (Flaherty) and Richard Swanson, the late Thomas Flaherty survived by his wife Jeanne, Eleanor (Flaherty) and William Kasper, and Francis and Cheryl (Fielder) Flaherty. He is also survived by many loving nieces, nephews, relatives and friends.

Message from the Governor.

The following message was received from the office of His Excellency the Governor, to wit: —

Governor,—
list of
pardons.

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE BOSTON, MA 02133

January 2, 2018.

To the Honorable Senate and House of Representatives:

In compliance with Chapter 127, Section 152 of the Massachusetts General Laws, I submit herewith a report of the exercise of the pardoning power by the Governor, with the advice and consent of the Council from January 1, 2017 to December 31, 2017:

Pardons	0
Commutations	0

UNCORRECTED PROOF.

Respectfully,
CHARLES D. BAKER
Governor

The message (House, No. 4106) was read; and it was sent to the Senate for its information.

Papers from the Senate.

The House Bill clarifying the applicability of the civil service laws to employee positions in the city of Framingham (House, No. 4047), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 4 and inserting in place thereof the following section:

“SECTION 4. This act shall take effect as of December 31, 2017.”.

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

Subsequently the amendment (having been reported by said committee to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill, Senate, No. 2241) of Donald F. Humason, Jr. and John C. Velis (with approval of the mayor and city council) for legislation to authorize the city of Westfield to categorize all certain private ways a public streets, was referred, in concurrence, to the committee on Transportation.

Framingham,—
civil service.

Westfield,—
private ways.

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 Rules 12 and 7A be suspended on the petition of Timothy R. Whelan and others for legislation to establish an early retirement incentive program for Barnstable County. Under suspension of the rules, on motion of Mr. Whelan of Yarmouth, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Barnstable
County,—
early
retirement.

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

Relative to drivers licenses for international students (House, No. 1915);

Relative to student driver safety (House, No. 2761);

Relative to the Board of Building Regulations and Standards (House, No. 4053); and

Relative to the Massachusetts Port Authority community advisory committee (House, No. 4101);

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

Drivers licenses.
Driver safety.
Regulations
and Standards.
MassPort,—
advisory
commission.

UNCORRECTED PROOF.

Engrossed Bill.

The engrossed Bill clarifying the applicability of the civil service laws to employee positions in the city of Framingham (see House bill printed in House, No. 4047, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill relative to the Lake Quinsigamond Commission (House, No. 4039) 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. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Vega of Holyoke moved that when the House adjourns today, it do so in respect to the memory of Francis E. Rogers, a member of the House from Holyoke from 1975 to 1978, inclusive; and the motion prevailed.

Accordingly, at twenty-eight minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JANUARY 8, 2018.

[3]

JOURNAL OF THE HOUSE.

Monday, January 8, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Hope and Peace, we pray on this day with a spirit of thanksgiving. We thank You for all the persons who helped keep our government running during the recent spell of frigid weather. We thank You for the many workers who managed to maintain our roads, rails, and home and work environments during these challenging times.

Prayer.

Today, we remember the life of Emily Greene Balch. Born in Jamaica Plain in 1867, Ms. Balch was an economist, sociologist and pacifist who dedicated her life to the most vulnerable of her time. Because of her activism and conscientious objection to the First World War, Balch lost her teaching position at Wellesley College. Because of her leadership of the Women's International League for Peace and Freedom based in Switzerland, she won the Nobel Peace Prize in 1946. Emily Greene Balch died in Cambridge the day after her 94th birthday.

May God continue to bless our Commonwealth.

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.

Resolutions.

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

Resolutions (filed by Ms. Peake of Provincetown) congratulating David Van Sickle on receiving the Eagle Award of the Boy Scouts of America; and

David
Van Sickle.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Owen Van Sickle on receiving the Eagle Award of the Boy Scouts of America;

Owen
Van Sickle.

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

Order.

The following order (filed by Mr. DeLeo of Winthrop) was considered forthwith, under suspension of the rules, on motion of the same member; and it was adopted:

UNCORRECTED PROOF.

Ordered, That the precept to be issued by the Speaker, under the provisions of Section 141 of Chapter 54 of the General Laws, appointing a time for the election to fill the vacancy existing in the office of Representative in the General Court from the 2nd Bristol District shall designate Tuesday, April 3, 2018, as the time ordered by the House of Representatives for said election.

Second Bristol Representative District,—
time for election to fill vacancy.

Communications.

Communications

From the Department of Public Health (see Section 224 of Chapter 111 of the General Laws) submitting the annual report of the Massachusetts Commission on Falls Prevention for 2017; and

Falls prevention.

From the Department of Public Health (see item 4590-1506 of Chapter 47 of the Acts of 2017) relative to primary violence prevention through positive youth development;

Violence prevention.

Severally were placed on file.

Report.

A report of the Massachusetts Clean Energy Center (under Section 131 of Chapter 47 of the Acts of 2017) on the feasibility study of an energy efficiency project to assist an aviation manufacturing facility whose company headquarters are located within the Commonwealth, was placed on file.

Aviation manufacturing facility,—
study.

Petition.

Representative Frost of Auburn and Senator Moore presented a joint petition (subject to Joint Rule 12) of Paul K. Frost and Michael O. Moore for legislation to establish a sick leave bank for Jason Dobson, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules.

Jason Dobson,—
sick leave.

Paper from the Senate.

A Bill relative to the Wareham Redevelopment Authority (Senate, No. 2145, amended in section 3, in line 16, by striking out the word “first” and inserting in place thereof the words “appointment of a”) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wareham Redevelopment Authority.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the town of Weston town meeting (House, No. 3873) [Local Approval Received], be scheduled for consideration by the House.

Weston,—
town meeting.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition,

Dawn

UNCORRECTED PROOF.

a Bill establishing a sick leave bank for Dawn Parmenter, an employee of the Department of Correction (House. No. 4090).

Parmenter,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Gayle Vassallo, an employee of the Department of Developmental Services (House, No. 4091).

Gayle
Vassallo,—
sick leave.

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

Engrossed Bill.

The engrossed Bill relative to the position of director of public works in the town of West Boylston (see House, No. 1433), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

House bills

Relative to the town administrator in the town of Fairhaven (House, No. 3513);
Authorizing the Deerfield Area Fire Protection District to continue the employment of Fire Chief Chester Yazwinski (House, No. 3957);

Third
reading
bills.

Providing for the purchase of the Milford Water Company by the town of Milford (House, No. 3978); and

Relative to the dissolution of the Milford Water Company and the acquisition of its assets by the town of Milford (House, No. 4055);

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. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Speaker DeLeo of Winthrop and Representative Honan of Boston then moved that when the House adjourns today, it do so in respect to the memory of Robert Q. Crane, a member of the House from Boston from 1957 to 1964, inclusive; and Treasurer and Receiver General from 1964 to 1991, inclusive; and the motion prevailed.

Accordingly, at ten minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JANUARY 11, 2018.

[4]

JOURNAL OF THE HOUSE.

Thursday, January 11, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Nangle of Lowell in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Abundance and Grace, we ask Your blessing upon our House of Representatives and upon all who visit the State House during these days of winter thaw.

Prayer.

One of the ways we acknowledge Your abundance and grace is the presence of the symbol of the "Sacred Cod". It was on this day 220 years ago that the wooden likeness of the cod fish, wrapped in an American flag, was paraded from the old State House to this new State House. The cod remains in this chamber as a reminder of the Commonwealth's continued blessings.

We pay for our fellow citizens who continue to make their living on the seas catching fish and other seafood, thus providing nourishment for people throughout our country and the world.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Nangle), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Appointments of the Speaker and the Minority Leader.

The Speaker announced (under Section 68 of Chapter 3 of the General Laws) that he had appointed Ms. Kimberly Truong of Woburn to the permanent Commission on the Status of Citizens of Asian Descent; and

Asian American commission.

The Minority Leader announced that (under Chapter 325 of the Acts of 2016) he had appointed Representative Poirier of North Attleborough as his designee on the Commission on Malnutrition Prevention Among Older Adults.

Elderly malnutrition commission.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating John Belanger on receiving the Eagle Award of the Boy Scouts of America;

John Belanger.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Ruth Bastille on celebrating her one hundredth birthday; and

Ruth Bastille.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Mary D. Coyne on celebrating her eightieth birthday;

Mary Coyne.

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

Communications.

Communications

From the Commissioner of Insurance (see sections 4A and 4B of Chapter 175 of the General Laws) submitting the 2016 Annual Home Insurance Report of the Division of Insurance [copies of said report were forwarded to the committee on Financial Services and the Attorney General of the Commonwealth, as required by said law]; and

Home insurance.

From the Commissioner of Insurance (see sections 4A and 4B of Chapter 175 of the General Laws) submitting statistical supplements to the 2016 Annual Home Insurance Report [copy of said report was forwarded to the committee on Financial Services, as required by said law];

Id.

Severally were placed on file.

Annual and Special Reports.

Annual reports

Of the Economic Empowerment Trust Fund (under Section 35QQ of Chapter 10 of the General Laws) for fiscal year 2017;

Economic empowerment.

Of the Executive Office of Housing and Economic Development (under Section 4 of Chapter 240 of the Acts of 2010) submitting its annual reports for the Office of Performance Management and Oversight for the fiscal year 2017;

Performance management and oversight.

Reports

Of the District Attorney of the Cape and Islands (under Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2017; and

Cape and Islands District Attorney,— wiretaps.

Of the District Attorney of Norfolk County (under Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2017;

Norfolk District Attorney,— wiretaps.

Severally were placed on file.

Initiative Petitions.

Initiative petition of Christina Barnes and others for the passage of An Act establishing a paid family and medical leave insurance program (House, No. 4110) (received on January 3, 2018, 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 committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Paid family and medical leave.

Initiative petition of Elizabeth A. Warren and others for the passage of An Act raising the minimum wage (House, No. 4111) (received on January 3, 2018, 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

Minimum wage,— increase.

the Constitution), was referred, under said Article and Rule 24, to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Initiative petition of Patricia K. Duffy and others for the passage of An Act relative to patient safety and hospital transparency (House, No. 4112) (received on January 3, 2018, 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 committee on the Public Health. Sent to the Senate for concurrence.

Patient safety
and hospital
transparency.

Initiative petition of Donna Kelly-Williams and others for the passage of An Act relative to patient safety and hospital transparency (House, No. 4113) (received on January 3, 2018, 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) and as ordered by the Supreme Judicial Court for Suffolk County (Williams, et al. v. Attorney General and Secretary of the Commonwealth, No. SJ-2017-0339, December 13, 2017), was referred, under said Article and Rule 24, to the committee on Public Health. Sent to the Senate for concurrence.

Id.

Initiative petition of Jon B. Hurst and others for the passage of An Act relative to reducing the burden of sales and use taxes and requiring a sales tax free weekend (House, No. 4114) (received on January 3, 2018, 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 committee on Revenue. Sent to the Senate for concurrence.

Sales tax.

Initiative petition of Matthew W. Patsky and others for the passage of An Act relative to establishing a citizens commission concerning a constitutional amendment to secure government of the people (House, No. 4115) (received on January 3, 2018, 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 committee on Veterans and Federal Affairs. Sent to the Senate for concurrence.

Government
of the people,—
commission.

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 Robert M. Koczera relative to the fees for shellfishing permits for veterans. To the committee on Environment, Natural Resources and Agriculture.

Veterans,—
shellfishing
permits.

Petition (accompanied by bill) of Carolyn C. Dykema relative to juvenile bail notification. To the committee on the Judiciary.

Bail notification,—
juveniles.

Petition (accompanied by bill) of Daniel Cullinane for legislation to establish a sick leave bank for Zelpha Bennett, an employee of the Executive Office for Administration and Finance. To the committee on Public Service.

Zelpha
Bennett,—
sick leave.

UNCORRECTED PROOF.

Joint petition (accompanied by bill) of Steven Ultrino, Barbara A. L'Italien and others relative to the fees for application for certain drivers' licenses and state identification cards for non-drivers. To the committee on Transportation.

Identification cards,—
non-drivers.

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

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1212) of Elizabeth A. Poirier and others relative to emergency medical technician certification of veterans and military medics,— and recommending that the same be referred to the committee on Veterans and Federal Affairs. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Veterans,—
certification.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill providing for the terms of certain bonds issued by the Commonwealth (printed in House, No. 4092), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Bonding terms.

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

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the Board of Park Commissioners of the town of Dunstable (House, No. 4049) [Local Approval Received], be scheduled for consideration by the House.

Dunstable,—
park
commissioners.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to tax titles in the town of East Bridgewater (House, No. 4064) [Local Approval Received], be scheduled for consideration by the House.

East
Bridgewater,—
tax titles.

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

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

Relative to the electronic filing of certain forms used in property valuation (House, No. 4066); and

Property valuation.

Establishing a sick leave bank for Gayle Vassallo, an employee of the Department of Developmental Services (House, No. 4091);

Gayle Vassallo,—
sick leave.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Dawn Parmenter,

Dawn Parmenter,—

UNCORRECTED PROOF.

an employee of the Department of Correction (House, No. 4090), be scheduled for consideration by the House.

sick leave.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the move over law (House, No. 4100), be scheduled for consideration by the House.

Move
over law.

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

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill financing the production and preservation of housing for low and moderate income residents (House, No. 3925), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4108) [Bond Issue: General Obligation Bonds: \$1,710,000,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Housing
production.

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 835, 1180, 1217, 2455 and 2864, a Bill to protect youth from the health risks of tobacco and nicotine addiction (House, No. 4109). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Tobacco,—
youth.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill to allow municipalities to invest in credit unions (House, No. 1123).

Municipalities,—
credit unions.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Chelmsford relative to town manager, administrative powers and duties (House, No. 4071) [Local Approval Received].

Chelmsford,—
town
manager.

By the same member, for the same committee, on a petition, a Bill relative to the ownership and occupancy deadline for residential property exemptions in the city of Boston (House, No. 4073) [Local Approval Received].

Boston,—
exemptions.

By the same member, for the same committee, on a petition, a Bill establishing the appointed office of town clerk in the town of Ayer (House, No. 4077) [Local Approval Received].

Ayer,—
town clerk.

By the same member, for the same committee, on a petition, a Bill establishing the appointed office of tree warden in the town of Ayer (House, No. 4078) [Local Approval Received].

Ayer,—
tree warden.

By the same member, for the same committee, on a petition, a Bill establishing the appointed position of treasurer-collector in the town of Ayer (House, No. 4079) [Local Approval Received].

Ayer,—
treasurer-
collector.

By the same member, for the same committee, on a petition, a Bill establishing the position of town manager in the town of Ayer (House, No. 4080) [Local Approval Received].

Ayer,—
town
manager.

By the same member, for the same committee, on a joint petition, a Bill relative to the funding of the other post-employment benefits liability trust fund in the town of Northbridge (House, No. 4084) [Local Approval Received].

Northbridge,—
trust fund.

By the same member, for the same committee, on a petition, a Bill relative to boards and commissions of the city of Boston (House, No. 4086) [Local Approval Received].

Boston,—
commissions.

UNCORRECTED PROOF.

By the same member, for the same committee, on a joint petition, a Bill relative to [sic] town manager in the town of Ipswich (House, No. 4087) [Local Approval Received].

Ipswich,—
town
manager.

By the same member, for the same committee, on a petition, a Bill providing a charter for the city of Melrose (House, No. 4102) [Local Approval Received].

Melrose,—
charter.

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

Engrossed Bill.

The engrossed Bill relative to the civil service eligibility list for police officers in the city of Quincy (see House, No. 3938), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Nangle of Lowell being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JANUARY 16, 2018.

[5]

JOURNAL OF THE HOUSE.

Tuesday, January 16, 2018.

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

Pledge of allegiance.

Communications.

Communications

From the Chief Justice for Administration and Management of the Trial Court (see Section 5 of Chapter 205 of the Acts of 2008) relative to the prosecution and disposition of cases involving certain offenses against children for the fiscal year 2016; and

Protection of children.

From the Department of Energy Resources (see Section 6 of Chapter 448 of the Acts of 2016) relative to the study on the opportunities for electrification of the state vehicle fleet;

State vehicles.

Severally were placed on file.

Annual and Special Reports.

A report from the Office of the Comptroller (under Section 12(c) of Chapter 7A of the General Laws) submitting the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2017; and

Comprehensive Annual Financial Report.

An annual report from the Chief Justice for Administration and Management of the Trial Court (under Section 5 of Chapter 205 of the Acts of 2008) relative to the prosecution and disposition of cases involving certain offenses against children for the fiscal year 2017;

Protection of children.

Severally were placed on file.

Petitions.

Representative Muradian of Grafton and Senator Moore presented a joint petition (accompanied by bill, House, No. 4121) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) relative to the town manager of the town of Upton; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Upton,—
town
manager.

Petitions severally were presented and referred as follows:

By Ms. DiZoglio of Methuen (by request), a petition (subject to Joint Rule 12) of Brian Donahue relative to the advertising of prices for motor vehicles.

Motor vehicles,—
advertising.

By the same member (by request), a petition (subject to Joint Rule 12) of Brian

Seafood

Donahue relative to the preparation of seafood in food establishments.

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley for an investigation by a special commission (including members of the General Court) relative to the effects of federal tax reform on the Commonwealth's alimony and child support statutes.

By Mr. Naughton of Clinton, a petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., and Harriette L. Chandler for legislation to establish a sick leave bank for Elise Sanchez-Oshea, an employee of the Trial Court.

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

preparation.
Child support
and alimony.

Elise Sanchez-
Oshea,—
sick leave.

Papers from the Senate.

A report of the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 255) of Jennifer L. Flanagan for legislation relative to early education funding, and recommending the same be referred to the committee on the Revenue;

A report of the committee on Labor and Workforce Development, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1025) of Thomas M. McGee, Jason M. Lewis, James B. Eldridge, James J. O'Day and other members of the General Court for legislation relative to public higher education collective labor contracts, and recommending the same be referred to the committee on Public Service; and

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1191) of Kenneth J. Donnelly, Jay R. Kaufman, Sean Garballey, Michael J. Barrett and other members of the General Court for legislation relative to the disclosure of toxic chemicals in children's products, and recommending the same be referred to the committee on Environment, Natural Resources and Agriculture.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

A petition (accompanied by bill, Senate, No. 2245) of Bruce E. Tarr and Bradford R. Hill (by vote of the town) for legislation to authorize the town of Hamilton to establish a special fund for the Patton Homestead, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2253) of Sal N. DiDomenico and Joseph W. McGonagle, Jr. for legislation to establish a sick leave bank for Peter Garofalo, an employee of the Department of Conservation and Recreation;

Petition (accompanied by bill, Senate, No. 2251) of Walter F. Timilty for legislation to establish a sick leave bank for Linda Thernize-Williams, an employee of the Department of Transitional Assistance; and

Petition (accompanied by bill, Senate, No. 2252) of James T. Welch for legislation to establish a sick leave bank for Donna Janerico, an employee of the Department of Revenue.

Severally to the committee on Public Service.

Early
education,—
funding.

Public higher
education,—
contracts.

Children's
products,—
chemicals.

Hamilton,—
Patton
Homestead.

Peter
Garofalo,—
sick leave.

Linda Thernize-
Williams,—
sick leave.

Donna
Janerico,—
sick leave.

Reports of Committees.

By Mr. Murphy of Weymouth, 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 Elizabeth O'Brien, an employee of the department of the Attorney General (Senate, No. 2176, amended); and

Elizabeth O'Brien,—
sick leave.

House bills

Relative to continuing education of insurance producers (House, No. 507);

Insurance.

Relative to the ownership and occupancy deadline for residential property exemptions in the city of Boston (House, No. 4073) [Local Approval Received];

Boston,—
exemptions.

Relative to the funding of the Other Post-Employment Benefits Liability Trust Fund in the town of Northbridge (House, No. 4084) [Local Approval Received]; and

Northbridge,—
benefits trust.

Relative to town manager in the town of Ipswich (House, No. 4087) [Local Approval Received];

Ipswich,—
town manager.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill providing a charter for the city of Melrose (House, No. 4102) [Local Approval Received], be scheduled for consideration by the House.

Melrose,—
charter.

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

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on Senate, Nos. 341, 1224, 1239, 1264 and House, Nos. 335, 1200, 1223 and 2884, a Bill relative to Alzheimer's and related dementias in the Commonwealth (House, No. 4116). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Alzheimer's
and related
dementias,—
commission.

Subsequently, Mr. Galvin of Canton, for said committees, reported that the foregoing bill ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill providing benefits for permanent functional loss and disfigurement under the Worker's [sic] Compensation Act (House, No. 1006). Read; and referred, under Rule 33, to the committee on Ways and Means.

Workers'
compensation,—
benefits.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill relative to job creation through employee ownership (House, No. 1026) [Representatives McKenna of Webster and Orrall of Lakeville dissenting].

Employee
ownership.

By the same member, for the same committee, on a petition, a Bill expanding educational opportunities for vocational students (House, No. 3157).

Vocational
students.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating United States highway Route 20 as a state historic highway (House, No. 4022).

United States
highway
Route 20.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge known as the Washington Street bridge in the town of Hudson as the “Private First Class Kenneth M. Thibault Memorial Bridge” (House, No. 4023).

Hudson,—
Thibault
bridge.

By the same member, for the same committee, on a joint petition, a Bill designating a certain bridge in the city of Fall River as the Ronald Costa bridge (House, No. 4031).

Fall River,—
Ronald Costa
bridge.

By the same member, for the same committee, on a joint petition, a Bill designating a certain bridge in the city of Chelsea as the John P. Bruttaniti memorial bridge (House, No. 4072)

Chelsea,—
John Bruttaniti
bridge.

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 Gary Erskine, an employee of the Department of Public Health (see House, No. 3989, 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.

Gary
Erskine,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill designating a certain bridge in the city of Haverhill as the United States Navy Petty Officer Caitlin E. Trask - Veterans of the War on Terror Memorial Bridge (see House, No. 4025), 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.

Haverhill,—
bridge.

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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill amending the charter of the town of Concord (see House, No. 3930) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

House bills

Authorizing the appointing authority of the town of Mansfield to appoint police cadets to the police department of the town (House, No. 1327) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

UNCORRECTED PROOF.

Relative to the annual observance of Massachusetts Women's Defense Corps Remembrance Day (House, No. 2658); and

Exempting J. Adam Stagno from the maximum age requirement for police officers in the town of North Andover (House, No. 3794) (its title having been changed by the committee on Bills in the Third Reading);

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

Recess.

At fifteen minutes after eleven o'clock A.M., on motion of Mrs. Haddad of Somerset (Mr. Linsky of Natick being in the Chair), the House recessed subject to the call of the Chair; and at one minute after two o'clock P.M. the House was called to order with Mrs. Haddad in the Chair.

Recess.

Reports of Committee.

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

Relative to the town charter of Wareham (Senate, No. 2144) [Local Approval Received]; and

Relative to a Wareham Redevelopment Authority (Senate, No. 2145, amended) [Local Approval Received];

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

Wareham,—
charter.

Wareham
Redevelopment
Authority.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At four minutes after two o'clock P.M., on motion of Ms. Gifford of Wareham (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

UNCORRECTED PROOF.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JANUARY 18, 2018.

[6]

JOURNAL OF THE HOUSE.

Thursday, January 18, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Gracious God, we give You thanks for the many blessings our Commonwealth enjoys. We pray today for our elected representatives who serve the six and a half million residents of Massachusetts. May they and their staff listen to the needs of those they serve.

Prayer.

God of Unity and Peace, we give thanks today for the many advances made in communication over the decades. We are mindful of the role our Commonwealth has played in these endeavors.

From a high bluff on the Wellfleet shoreline, it was on this day in 1903, that 29 year old Guglielmo Marconi sent the first wireless transatlantic message, from President Theodore Roosevelt to King Edward of Great Britain. "Taking advantage of the wonderful triumph of scientific research and ingenuity" Roosevelt said in Morse code.

The real usefulness of this technology became evident when ships became equipped with wireless transmitters and were able to send out and receive Mayday messages. The most famous case was the wireless aided rescue in 1912 of over 700 survivors of the Titanic sinking.

May God continue to bless our Commonwealth.

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.

Communication from the Minority Leader.

The following communication from Representative Jones of North Reading, was spread upon the records of the House, as follows:

January 10, 2018.

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

Dear Mr. Clerk:

As you are aware, on or about August 21, 2017, Representative Susannah Whipps voluntarily chose to un-enroll as a member of the Republican Party in Massachusetts. Following her un-enrollment, and pursuant to paragraph 3 of Rule

Representative
Susannah
Whipps,—

UNCORRECTED PROOF.

18A of the House Rules, the House Republican Caucus voted to approve that Representative Susannah Whipps be relieved of her appointments to the following committees:

committee changes.

House Committee on Ethics
Joint Committee on Mental Health, Substance Use and Recovery
Joint Committee on Higher Education

I would like to make the following Minority appointments left open by Representative Whipps' vacancies:

- House Committee on Ethics – Representative David [K.] Muradian[, Jr. of Grafton]
- Joint Committee on Higher Education – Representative Angelo [L.] D'Emilia [of Bridgewater]
- Joint Committee on Mental Health, Substance Use and Recovery – Representative Hannah [E.] Kane [of Shrewsbury.]

Committee appointments.

Sincerely,
BRADLEY H. JONES, JR.
Minority Leader

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Scott A. Lebeau Jr. on receiving the Eagle Award of the Boy Scouts of America;

Scott Lebeau.

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Aleksander Pelletier on receiving the Eagle Award of the Boy Scouts of America;

Aleksander Pelletier.

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Colin Ryder on receiving the Eagle Award of the Boy Scouts of America;

Colin Ryder.

Resolutions (filed by Mr. Hunt of Boston) honoring Margaret Coughlan on her retirement from Eversource; and

Margaret Coughlan.

Resolutions (filed by Mr. Vargas of Haverhill) addressing net neutrality protections in the Commonwealth;

Net neutrality.

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

Annual Report.

The annual report of the Public Employee Retirement Administration Commission (under sections 21, 102 and 103 of Chapter 32 of the General Laws) relative to the per centum change in the average cost-of-living as shown by the United States consumer price index for the year 2017 compared with such index for the year 2016 (House, No. 4123), was referred to the committee on Public Service. Sent to the Senate for concurrence.

Cost-of-living adjustment,—retirees.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 4124) of Thomas A. Golden, Jr., and others (by vote of the town) that the town of Chelmsford be authorized to amend the charter of said town; and

Chelmsford,—
charter.

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 4125) of Stephen Kulik (by vote of the town) that the town of Shutesbury be authorized to convey certain land in said town;

Shutesbury,—
land.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Representative McMurtry of Dedham and Senator Rush presented a joint petition (subject to Joint Rule 12) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Joseph Loughman, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Joseph
Loughman,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Papers from the Senate.

The Senate Bill relative to standards of employee safety (printed as House, No. 3952, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out after the enacting clause and inserting in place thereof the text contained in House document numbered 3974, amended) with a further amendment striking out the text contained in House document numbered 3974, amended and inserting in place thereof the text contained in Senate document numbered 2250. The further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Employee
safety.

A Bill authorizing the Brookfield Housing Authority to convey a certain parcel of land and the building thereon (Senate, No. 2146) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Brookfield
Housing
Authority,—
land.

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 Brian Donahue relative to the advertising of prices for motor vehicles. To the committee on Consumer Protection and Professional Licensure.

Motor vehicles,—
price advertising.

Petition (accompanied by bill) of Patricia A. Haddad relative to the recycling of certain paints. To the committee on Environment, Natural Resources and

Paint,—
recycling.

Agriculture.

Petition (accompanied by bill) of Paul Brodeur relative to the use of video conferencing for certain mortgages. To the committee on Financial Services.

Petition (accompanied by bill) of Brian Donahue relative to the preparation of seafood in food establishments. To the committee on Public Health.

Joint petition (accompanied by bill) of Paul K. Frost and Michael O. Moore for legislation to establish a sick leave bank for Jason Dobson, an employee of the Department of Correction. To the committee on Public Service.

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

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

Expanding educational opportunities for vocational students (House, No. 3157);

Designating United States highway Route 20 as a state historic highway (House, No. 4022);

Designating a certain bridge known as the Washington Street bridge in the town of Hudson as the "Private First Class Kenneth M. Thibault Memorial Bridge" (House, No. 4023);

Designating a certain bridge in the city of Fall River as the Ronald Costa bridge (House, No. 4031);

Designating a certain bridge in the city of Chelsea as the John P. Bruttaniti memorial bridge (House, No. 4072);

Establishing the appointed office of town clerk in the town of Ayer (House, No. 4077) [Local Approval Received];

Establishing the appointed office of tree warden in the town of Ayer (House, No. 4078) [Local Approval Received];

Establishing the appointed position of treasurer-collector in the town of Ayer (House, No. 4079) [Local Approval Received]; and

Establishing the position of town manager in the town of Ayer (House, No. 4080) [Local Approval Received];

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the Resolve to establish a special commission to perform an investigation and providing for a study relative to the long term management, maintenance and future use of the Boston Harbor Long and Moon Islands (House, No. 397, changed) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Ms. Atkins of Concord, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill relative to the position of poet laureate for the Commonwealth of Massachusetts (House, No. 1784).

By the same member, for the same committee, on a petition, a Bill relative to the architect laureate (House, No. 1785).

Severally read; and referred, under Joint Rule 29, to the committees on Rules

Mortgages,—
conferencing.

Seafood,—
preparation.

Jason
Dobson,—
sick leave.

Vocational
education.

Historic
highway.

Hudson,—
Thibault
bridge.

Fall River,—
Costa bridge.

Chelsea,—
bridge.

Ayer,—
town clerk.

Ayer,—
tree warden.

Ayer,—
treasurer-collector.

Ayer,—
town manager.

Boston Harbor
Long and Moon
Islands.

Poet
laureate.

Architect
laureate.

of the two branches, acting concurrently.

By Ms. Atkins of Concord, for the committee on Tourism, Arts and Cultural Development, on a joint petition, a Bill establishing a liberty bell feasibility study (House, No. 1776).

Liberty bell.

By the same member, for the same committee, on a petition, a Bill relative to the creation of a women's rights history trail (House, No. 1781, changed in line 15 by inserting after the word "Northampton" the words "and the Ashley House located in the town of Sheffield, MA.").

Women's rights,— trail.

By the same member, for the same committee on a petition, a Bill establishing a cultural highway (House, No. 1783).

Cultural highway.

By the same member, for the same committee, on a petition, a Bill relative to resale royalties for artists (House, No. 1786).

Resale royalties.

By the same member, for the same committee, on a petition, a Bill establishing a disaster and emergency aid fund for Massachusetts artists (House, No. 1787).

Disaster fund,— artists.

By the same member, for the same committee, on a petition, Bill to authorize the acquisition of land, the development and construction of an underground railroad, civil rights and black heritage museum and cultural center in Springfield (House, No. 1789).

Springfield,— cultural center.

By the same member, for the same committee, on a petition, a Bill establishing a design certification program for cultural facilities and programming (House, No. 2714).

Design certification program.

By the same member, for the same committee, on a petition, a Bill establishing an agricultural tourism study commission (House, No. 2715).

Agricultural tourism.

By the same member, for the same committee, on a petition, a Bill relative to the Plymouth 400th (House, No. 2716).

Plymouth 400th anniversary.

By the same member, for the same committee, on a petition, a Bill to establish a Massachusetts percent for arts program (House, No. 2717).

Arts,— fund.

By the same member, for the same committee, on a petition, a Bill establishing Massachusetts cultural corridors (House, No. 3405).

Cultural corridors.

By the same member, for the same committee, on a petition, a Bill relative to the Millicent Library in the town of Fairhaven (House, No. 3530).

Fairhaven,— library.

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 3781, a Bill releasing a restriction on certain property in the town of Webster (House, No. 4122) [Local Approval Received].

Webster,— land.

By Ms. Atkins of Concord, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill to expand membership opportunities in local cultural councils (House, No. 1782).

Local cultural councils.

By the same member, for the same committee, on a petition, a Bill relative to procurement services for artists (House, No. 1788).

Procurement,— artists.

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

By Mr. Lawn of Watertown, for the committee on Veterans and Federal Affairs, on a petition, Resolutions memorializing the Congress of the United States to declare the city of Quincy as the most patriotic city in America (House, No. 1922). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Quincy,— patriotic city.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Dave Ringer, an employee of the Department of Correction (see House, No. 3947, 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.

Dave Ringer,—
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 sent to the Senate.

Bill enacted.

Orders of the Day.

The House Bill relative to town manager in the town of Ipswich (House, No. 4087), 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. Sent to the Senate for concurrence.

Third reading bill.

The House Bill exempting Nicholas L. Martone from the maximum age requirement for firefighters in the town of North Andover (House, No. 3793), reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time.

North Andover,—
Nicholas Martone.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4126), 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. DeLeo of Winthrop,—

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

Next sitting.

Representative Meschino of Hull then moved that when the House adjourns today, it do so in respect to the memory of Caroline J. Stouffer, a member of the House from Hingham in 1977 and 1978; and the motion prevailed.

Accordingly, at seventeen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

UNCORRECTED PROOF.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JANUARY 22, 2018.

[7]

JOURNAL OF THE HOUSE.

Monday, January 22, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Power and Might, we give You thanks today for the many blessings we enjoy as citizens of this Commonwealth. We pray for the membership of this chamber and their staff.

Prayer.

We remember that tomorrow January 23rd marks the 1737 birth of John Hancock, a member of this House as well as the first Governor of Massachusetts under its Constitution.

Hancock was a wealthy merchant who used his wealth to support the colonial cause against Great Britain before and during the American Revolution. As president of the Second Continental Congress, he was the first to sign the Declaration of Independence. It was on his land that this State House was erected in January of 1798. Sadly, Hancock's nearby house was torn down in 1863 after the legislature voted against funding its maintenance. His grave at the Granary Burying Ground had no distinctive memorial until 1896.

Nevertheless, we remember this great original New England patriot today. May God continue to bless our Commonwealth.

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.

Appointment of the Minority Leader.

A communication was received from the Minority Leader announcing that he had appointed Representative Kane of Shrewsbury to serve as his designee on the special commission established (under Section 138 of Chapter 47 of the Acts of 2017) to investigate ways to increase access and interoperability of data collected by the Department of Public Health.

Public health data,— interoperability commission.

Resolutions.

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

Resolutions (filed by Representatives Haddad of Somerset and Howitt of Seekonk) congratulating Robert Marquis on the occasion of his retirement;

Robert Marquis.

Resolutions (filed by Mr. Chan of Quincy and other members of the House) memorializing the Massachusetts Department of Public Health to endorse the "Screen at 23" campaign;

Screen at 23 campaign.

UNCORRECTED PROOF.

Resolutions (filed by Messrs. Coppinger of Boston and Scaccia of Boston) congratulating Daniel J. Gibson on the occasion of his retirement;

Daniel
Gibson.

Resolutions (filed by Mr. O'Day of West Boylston) congratulating Patrick L. Muldoon on the occasion of his retirement; and

Patrick
Muldoon.

Resolutions (filed by Mr. Sánchez of Boston) recognizing Timothy F. Gens for his dedicated service to the Massachusetts Health and Hospital Association;

Timothy
Gens.

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

Reports.

Reports

From the District Attorney of Hampden County (under Section 99R of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2017;

Hampden County
District Attorney,—
wiretaps.

From the District Attorney of Plymouth County (under Section 99R of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2017; and

Plymouth County
District Attorney,—
wiretaps.

From the District Attorney of Suffolk County (under Section 99R of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2017;

Suffolk County
District Attorney,—
wiretaps.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 4142) of Chynah Tyler and others (with the approval of the mayor and city council) relative to the rights and evictions of certain tenants of post-foreclosure rental housing in the city of Boston. To the committee on the Judiciary.

Boston,—
tenant
rights.

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 4143) of Marjorie C. Decker and Sal N. DiDomenico (with the approval of the mayor and city council) that the city of Cambridge be authorized to appoint retired police officers as special police officers within said city for paid detail assignments. To the committee on Municipalities and Regional Government.

Cambridge,—
special police
officers.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. DeCoste of Norwell, a petition (subject to Joint Rule 12) of David F. DeCoste and others relative to the reserve funds of condominiums.

Condominiums,—
reserve funds.

By Mr. Gentile of Sudbury, a petition (subject to Joint Rule 12) of Carmine L. Gentile, James B. Eldridge and Danielle W. Gregoire for legislation to establish a sick leave bank for Lauri Smith-Bopp, an employee of the Department of Revenue.

Lauri Smith-
Bopp,—
sick leave.

By Mr. Pignatelli of Lenox, a petition (subject to Joint Rule 12) of Smitty Pignatelli for legislation to designate a certain bridge spanning United States highway route 20 on Laurel Street in the town of Lee as the Louis J. Digrigoli memorial bridge.

Lee,—
Digrigoli
bridge.

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

Papers from the Senate.

The following order was adopted, in concurrence, as follows:

Ordered, That, a convention of the two branches be held at a half past six o'clock P.M., on Tuesday, January 23, 2018, for the purpose of receiving such communication as the Governor, Charles D. Baker may be pleased to make to them relating to the concerns of the Commonwealth.

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

January 22, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Bruce E. Tarr, Senate Minority Leader, has announced the appointments:

Senator Dean A. Tran was appointed to the following committees –

- Joint Committee on Municipalities and Regional Government in place of Senator Patrick M. O'Connor
- Joint Committee on State Administration and Regulatory Oversight in place of Senator Patrick M. O'Connor
- Joint Committee on Health Care Financing in place of Senator Bruce E. Tarr
- Joint Committee on Transportation in place of Senator Donald F. Humason
- Joint Committee on Higher Education in place of Senator Richard J. Ross
- Ranking Member on the Joint Committee on Health Care Financing in place of Senator Bruce E. Tarr
- Senate Committee on Intergovernmental Affairs in place of Senator Donald F. Humason

Senate Committee on Post Audit and Oversight

Senator Don Humason of Westfield in place of Senator Bruce E. Tarr.

Senate committee appointments.

Respectfully submitted,
WILLIAM F. WELCH
Clerk of the Senate.

Bills

Providing consumers with equal protection for all real estate appraisals (Senate, No. 2246) (on Senate bill No. 104);

Requiring institutions of higher education to provide uniform financial aid information to accepted applicants (Senate, No. 2247, amended in section 1, in lines 20 and 21, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “An institution of higher education may

Real estate appraisals.

Higher education,— financial aid.

UNCORRECTED PROOF.

additionally provide: (i) an electronic version of the uniform financial aid information shopping sheet in a printable format; (ii) an electronic version of the uniform financial aid information shopping sheet that is readable on a mobile device; or (iii) both.”) (on Senate bill No. 680, changed);

Further regulating the enforcement of illegal hunting practices (Senate, No. 2248, amended by inserting after section 1 the following section:

Illegal hunting,— enforcement.

“SECTION 1A. Section 26 of chapter 90B of the General Laws, as so appearing, is hereby amended by inserting, after the word ‘case’ in line 69, the words, ‘; provided, however, that during the hunting season, a person with a valid hunting license may carry, unloaded, outside such a case, for the purpose of hunting, a firearm, rifle or shotgun in or on a snow vehicle or recreation vehicle or on a trailer or sled attached to such a vehicle or trailer.”;

In section 6, in line 161, by inserting after the word “chapter” the words “or a rule or regulation promulgated under this chapter”;

In section 9, in line 234, by inserting after the word “director” the words “of the division”, in line 238 by inserting after the word “to” the following: “Article III,”; and in line 239 by inserting after the word “wildlife” the words “or the division of marine fisheries, as applicable”) (on Senate bill No. 2182);

Relative to the use of crossbows in hunting (Senate, No. 2249) (on Senate bill No. 429);

Hunting,— crossbows.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2239) of Patrick M. O’Connor, Smitty Pignatelli and Diana DiZoglio for legislation to establish a newborn health and safe sleep pilot program, and recommending the same be referred to the committee on Children, Families and Persons with Disabilities,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Newborns,— health and sleep.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2266) of William N. Brownsberger for legislation to prevent bureaucratic overreach in the collection of student debt. To the committee on Higher Education.

Student debt,— collection.

Petition (accompanied by bill, Senate, No. 2268) of Julian Cyr for legislation relative to compliance with the fair minimum wage. To the committee on Labor and Workforce Development.

Minimum wage.

Petition (accompanied by bill, Senate, No. 2267) of Joan B. Lovely for legislation relative to PEG access and cable related funds. To the committee on Municipalities and Regional Government.

PEG access and cable funds.

Petition (accompanied by bill, Senate, No. 2264) of Viriato M. deMacedo, Mathew Muratore, Randy Hunt and David T. Vieira for legislation to designate certain bridges in the town of Bourne as the U.S. Army Special Forces Staff Sergeant Matthew A. Pucino Memorial Bridges; and

Bourne,— Pucino bridges.

Petition (accompanied by bill, Senate, No. 2265) of Adam G. Hinds, Tricia Farley-Bouvier, Paul W. Mark and John Barrett for legislation relative to the Lafayette Trail;

Lafayette Trail.

Severally to the committee on Transportation.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill financing the production and preservation of housing for low and moderate income residents [House, No. 3925] (for order, see House, No. 4135). The order was considered forthwith; and it was adopted.

Housing
production,—
procedures.

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 petition of Andres X. Vargas and others for legislation to assure net neutrality by Internet service providers and the equal treatment of data on the Internet, and to prohibit discrimination or charge disparity of user, content, website, platform, application, type of attached equipment or method of communication. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

Net
neutrality.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill designating a certain park in the city of Quincy as the Richard “Dick” Herbert Memorial Park (House, No. 4082). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Quincy,—
Herbert
park.

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

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill financing the production and preservation of housing for low and moderate income residents (House, No. 3925), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4134) [Bond Issue: General Obligation Bonds: \$1,700,000,000.00].

Housing,—
production.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4108),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Murphy of Weymouth, for the committee Steering, Policy and Schedule, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Walsh of Peabody, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4134) was ordered to a third reading.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill

Sheffield,—
land.

UNCORRECTED PROOF.

authorizing the Berkshire County Regional Housing Authority to convey a certain parcel of land in the town of Sheffield to the Great Barrington Housing Authority (Senate, No. 2102), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill designating a section of state highway route 10 and United States highway route 202 in the town of Southwick as the Purple Heart Trail (Senate, No. 2105), be scheduled for consideration by the House.

Southwick,—
Purple Heart
highway.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Resolutions memorializing the Congress of the United States to declare the city of Quincy as the most patriotic city in America (House, No. 1922), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting the question being on adoption.

Quincy,—
patriotic city.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the Bill relative to the architect laureate (House, No. 1785), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Architect
laureate.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 297 and House, No. 262, a Bill to promote quality physical education (House, No. 4127).

Physical
education.

By the same member, for the same committee, on House, Nos. 325 and 2036, a Bill relative to emergency stock supply of epinephrine in schools (House, No. 4130).

Schools,—
epinephrine.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 410 and House, Nos. 472 and 2122, a Resolve establishing a special commission to study the effects of coastal and ocean acidification and its existing and potential effects on species that are commercially harvested and grown along the Massachusetts coast (House, No. 4133).

Coastal
and ocean
acidification.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill establishing the Massachusetts law revision commission (House, No. 1706).

Law review,—
commission.

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

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 227, 328 and 2021, a Bill promoting local control and effective training of school resource officers (House, No. 4128).

Resource
officers,—
training.

By the same member, for the same committee, on House, No. 230, a Bill improving augmentative and alternative communication opportunities for children

Children with
disabilities,—

with disabilities (House, No. 4129).

By the same member, for the same committee, on House, No. 2010, a Bill supporting healthy development among preschoolers (House, No. 4131).

By the same member, for the same committee, on House, Nos. 2857 and 3552, a Bill relative to school transportation (House, No. 4132).

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 30 and on a part of House, No. 23, a Bill relative to the 401(k) CORE program (House, No. 30).

By the same member, for the same committee, on a petition, a Bill relative to state contracting (House, No. 1660).

By the same member, for the same committee, on a petition, a Bill reducing filing fees for single member LLCs (House, No. 1661).

By the same member, for the same committee, on a petition, a Bill relative to state grants targeting minority communities (House, No. 1665).

By the same member, for the same committee, on a petition, a Bill relative to online posting of CMR's [sic] (House, No. 1676).

By the same member, for the same committee, on a petition, a Bill relative to fees for the use of State House facilities (House, No. 1679).

By the same member, for the same committee, on a petition, a Bill making amendments to the Massachusetts Business Corporation Act (House, No. 1711).

By the same member, for the same committee, on a petition, a Bill relative to the use of force accounts (House, No. 2669).

By the same member, for the same committee, on a petition, a Bill relative to municipal impact statements (House, No. 2679).

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Commission Against Discrimination (House, No. 3375).

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to the release of a restriction on land in the city of Taunton (printed in House, No. 3712).

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the timely and consistent payment of law enforcement personnel (House, No. 2657).

By the same member, for the same committee, on a petition, a Bill relative to restricted vital records (House, No. 2673).

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 Mary Sorensen, an employee of the Department of Mental Health (see House, No. 3837, 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.

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

communication.

Preschoolers,—
development.

Schools,—
transportation.

401(k) CORE
program.

State
contracting.

LLC,—
filing fees.

Minority
communities.

Regulations,—
posting.

State House,—
facility fees.

Business
corporation act.

Force
accounts.

Municipal impact
statements.

MCAD.

Taunton,—
land.

Law
enforcement,—
payment.

Vital
records.

Mary
Sorensen,—
sick leave.

Bill
enacted.

UNCORRECTED PROOF.

preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill further regulating the positions of town clerk and town accountant in the town of Norwood (see House, No. 3940) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Elizabeth O'Brien, an employee of the Department of the Attorney General (Senate, No. 2176, amended), 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 the annual town meeting in the town of Weston (House, No. 3873) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Relative to the retirement benefits of certain employees of the city of Chicopee (House, No. 3942);

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 House Bill establishing a sick leave bank for Dawn Parmenter, an employee of the Department of Correction (House, No. 4090), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Dawn
Parmenter,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4090, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-nine minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until ten minutes before twelve o'clock noon; and at two minutes before twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

Recess.

UNCORRECTED PROOF.

Engrossed Bill.

The engrossed Bill authorizing the town of Canton to regulate Reservoir Pond (see House, No. 3831) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at six o'clock P.M.

Next
sitting.

At twelve o'clock noon, on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at six o'clock P.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JANUARY 23, 2018.

[8]

JOURNAL OF THE HOUSE.

Tuesday, January 23, 2018.

Met according to adjournment at six o'clock P.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).

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to providing the terms of certain bonds to be issued by the Commonwealth (House, No. 4147), was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

Bonding terms.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Whipps of Athol, a petition (accompanied by bill, House, No. 4144) of Susannah M. Whipps (by vote of the town) relative to providing for recall elections in the town of Erving. To the committee on Election Laws.

Erving,—
recall elections.

By the same member, a petition (accompanied by bill, House, No. 4145) of Susannah M. Whipps (by vote of the town) relative to representation on the board of trustees for soldiers' memorials in the town of Orange. To the committee on Municipalities and Regional Government.

Orange,—
soldiers' memorials.

By Representative Whipps of Athol and Senator Gobi, a joint petition (accompanied by bill, House, No. 4146) of Susannah M. Whipps and Anne M. Gobi (by vote of the town) that the position of part-time officer in the police department in the town of Athol be exempt from the civil service law. To the committee on Public Service.

Athol,—
civil service.

Severally sent to the Senate for concurrence.

Representative Hunt of Sandwich and Senator Cyr presented a joint petition (subject to Joint Rule 12) of Randy Hunt, Julian Cyr and others for legislation to name two bridges over Route 6 in the city known as the town of Barnstable as the first responders appreciation overpasses; and the same was referred, under Rule 24, to the committee on Rules.

Barnstable,—
bridges.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 Transportation. Sent to the Senate for concurrence.

Paper from the Senate.

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

January 22, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Harriette L. Chandler, President of the Senate, has announced the appointments that were ratified by the Majority Party Caucus: Senator Joseph A. Boncore as Chair of the Joint Committee on Transportation and Senator Eric P. Lesser as Vice Chair of the Joint Committee on Transportation.

Respectfully submitted,
WILLIAM F. WELCH
Clerk of the Senate.

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 petition of Harold P. Naughton, Jr., and Harriette L. Chandler for legislation to establish a sick leave bank for Elise Sanchez-Oshea, an employee of the Trial Court. 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 the Judiciary. Sent to the Senate for concurrence.

Elise Sanchez-Oshea,—
sick leave.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Joseph Loughman, an employee of the Trial Court of the Commonwealth (House, No. 4141).

Joseph Loughman,—
sick leave.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Zelpha Bennett, an employee of the Executive Office for Administration and Finance (House, No. 4119).

Zelpha Bennett,—
sick leave.

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

Pursuant to assignment, at twenty minutes past six o'clock P.M, the two branches met in

Joint Session
of the two
branches.

JOINT SESSION

In the Chamber of the House of Representatives, for the purpose of receiving such communication as His Excellency Charles D. Baker, Governor of the Commonwealth, may be pleased to make relative to the concerns of the Commonwealth; and were called to order by the Honorable Harriette L. Chandler, President of the Senate.

Order Adopted.

On motion of Mr. Boncore,—

Ordered, That a committee be appointed to consist of members of the Senate and House of Representatives to wait upon Her Honor the Lieutenant-Governor, the Constitutional officers, members of the Executive Council and other distinguished guests of the Governor and inform them that the two branches are now in Convention and request the honor of their presence.

Notification of
Lieutenant-
Governor,
Constitutional
officers, et al.

Senators Gobi, Rodrigues, Lesser, Creem, Ross and Humason were appointed on the part of the Senate; and Representatives Donato of Medford, Ferguson of Holden, Viera of Falmouth, Honan of Boston, Wong of Saugus and Smizik of Brookline were appointed on the part of the House.

Subsequently, Mr. Donato, for the committee, reported that Her Honor, the Lieutenant Governor, the Constitutional officers, the Executive Council and distinguished guests would immediately attend upon the convention.

Shortly thereafter, Her Honor the Lieutenant-Governor, Karyn E. Polito, the Constitutional officers, members of the Executive Council, members of the Supreme Judicial Court, and distinguished guests entered the Chamber under the escort of the Sergeant-at-Arms.

Invocation.

The President in the Chair, then introduced Senior Imam Shaykh Yasir Fahmy, of the Islamic Society of Boston Cultural Center, who delivered the following Invocation:

Invocation.

Dear brothers and sisters, in the Holy Qur'an, God tells us: "Oh Mankind, we have created you from male and female, and we made you peoples and tribes that you may come to know one another. Surely, the noble of you before God are those most reverent of you."

In this verse, God speaks to the essence of the human condition; to the fundamental truth that, despite our differences, which can be profound, we are here, on this earth, to live with, to care for, and know one another. This sacred spirit and divine guidance is captured in the words and work of our own Founding Fathers.

In the year 1776, quoting John Locke, Thomas Jefferson said: "neither Pagan nor Mahamedan [Muslim] nor Jew ought to be excluded from the civil rights of the Commonwealth because of his religion." Espousing this same sentiment, the Massachusetts Constitution of 1780 promised "the most ample liberty of conscience... to Deists, Mahometans [Muslims], Jews and Christians".

My dear brothers and sisters, these words remind us of the kind of nation our Founding Fathers sought to bequeath us: a nation that upholds freedom of conscience; a nation that embraces religious pluralism, and a nation that calls for the

honor and dignity of all.

Yet we also know that even as these visionary words were spoken, slavery raged and the rights of women were ignored. We know that racial and ethnic quotas were implemented in immigration, and that Catholic and Jew, here in our own State, were not welcomed as equals. We understood early on that the vision of America we inherited was in fact a call for action and diligence. A gift, but never one to be taken for granted. A blessing, but not one yet fully realized for all.

Brothers and sisters, this vision and dream we call America calls for principled and courageous leadership, a leadership that embodies the sacred spirit and the divine guidance of our prophets and pious predecessors, from the wisdom and insight of Moses, to the love and compassionate shepherding of Jesus, and to the mercy and justice of Mohammed, may the peace and blessings of God be upon them all.

Let us pray. O' God, as we stand before You today in utter humility and with deep gratitude, we pray that You instill a sacred spirit and divine guidance in all of our hearts. O' God at a moment when our nation seems divided, we seek Your aid in bringing our hearts together. O' Lord, we know at this moment what is called for is courageous leadership. We ask that You bestow that leadership on our Governor Charles Duane Baker. We ask that You guide him to his highest self, inspire him to always practice that which is most beloved to You and to uphold the best of Your divinely inspired values and ideals. Guide him and all of our elected officials to help remove the pain and division that beseech parts of our nation. Allow us to see past our differences and to work with another for the betterment of ourselves, our state and our nation.

Order Adopted.

The President in the Chair, on motion of Ms. Spilka,—

Ordered, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon His Excellency the Governor and inform him that the two branches are now in Convention for the purpose of receiving such communication as he may be pleased to make to them, relating to the concerns of the Commonwealth.

Notification of
the Governor.

Senators DiDomenico, Cyr, Hinds, Donoghue, Tran and O'Connor were appointed on the part of the Senate; and Representatives Nangle of Lowell, Mahoney of Worcester, Poirier of North Attleborough, Puppolo of Springfield, Frost of Auburn, Ultrino of Malden, Lewis of Framingham, McMurtry of Dedham and Howitt of Seekonk were appointed on the part of the House.

Subsequently, Mr. DiDomenico, for the committee, reported that His Excellency the Governor, Charles D. Baker, would immediately attend upon the convention.

The President introduced members of the 2017 National JROTC Champions – the Lynn English High School Junior Reserve Officers Training Corps who posted the colors.

Lynn English
High School
JROTC.

National Anthem.

The President then introduced Cadet Samantha Parker, accompanied by the Massachusetts Maritime Academy Honor Guard, who sang the National Anthem.

National
Anthem.

Pledge of Allegiance.

The President then introduced Ashanti Rosario and Miguel Torres from Puerto Rico and the STEM Middle Academy in Springfield who led the Convention in the pledge of allegiance to the flag

Pledge of
allegiance.

Shortly thereafter, His Excellency the Governor, Charles D. Baker entered the Chamber under the escort of the Sergeant-at-Arms

The President then introduced His Excellency the Governor, Charles D, Baker, who thereupon addressed the Convention relative to the concerns of the Commonwealth (Senate, No. 2).

State of the
Commonwealth
address.

The President in the Chair, then introduced the Springfield Community Chorale directed by Vanessa Ford and Arif Bradley for a performance of “Oh Give Thanks” and “Bless the Lord With Me”.

Springfield
Community
Chorale.

Benediction.

The President then introduced Rabbi Wes Gardenswartz of Temple Emanuel in Newton, who gave the following Benediction:

Benediction.

Dear Lord, the place from which we speak to You tonight is Beacon Hill. A beacon is a light that warms and guides and inspires hope, especially when we are lost at sea. May we be worthy of our name. May Beacon Hill continue to be a genuine beacon.

In a world rent by division, may we be a beacon of collaboration.

In a world where all too often it is my way or the highway, may we be a beacon of the productive conversation, where we listen *to* and work *with* one another for the common good.

In a world soiled by xenophobia, nativism and hatred, may we be a beacon for inclusion, for love of *all* your children, *all* made in Your image, *all* infinitely loved by You.

Lord, You tell us in Your holy scriptures that You have a special love for the most vulnerable among us. The widow and the orphan. The stranger and the refugee. May we be a beacon of translating Your love into social policy, so that all Your children are protected not only by Your love, but by our wise, just, and compassionate laws.

May the good will we have for all human beings, the respect we have for all human dignity, make our Commonwealth a beacon of productivity, innovation, and prosperity.

We pray that you will now imbue all the elected leaders of our Commonwealth – Governor Charlie Baker, Lt. Governor Karyn Polito, Acting Senate President Harriette Chandler and all the members of the Senate, Speaker of the House Robert DeLeo and all the members of the House, with Your spirit of decency and humility and the ability to work together to promote the common good so that Beacon Hill continues to be what it has been: the beacon that our beloved Commonwealth and our beloved nation need right now, and for this, let us say, Amen.

The President in the Chair, His Excellency the Governor, Charles D. Baker, Her Honor the Lieutenant Governor, the Constitutional officers, the members of the

UNCORRECTED PROOF.

Executive Council and members of the Supreme Judicial Court then withdrew from the Chamber under the escort of the Sergeant-at-Arms.

On motion of Mr. Brady, at eleven minutes before eight o'clock P.M., the Convention of the Two Branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

At eleven minutes before eight o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair.

Called
to order.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At ten minutes before eight o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JANUARY 24, 2018.

[9]*

JOURNAL OF THE HOUSE.

Wednesday, January 24, 2018.

Met according to adjournment at eleven o'clock A.M. 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Great and Loving God, we thank You for the many blessings we receive as citizens of the Commonwealth. We pray today for the membership of this House and its staff.

Prayer.

Today we remember and give thanks for one of those whose name is etched in the walls of this chamber. Benjamin Lincoln was born in Hingham on this day in 1733. He served as a major general in the Continental Army and as General Washington's second in command, he formally accepted the British surrender at Yorktown.

After the war, Lincoln served as the Commonwealth's second Lieutenant Governor and served in President George Washington's cabinet as the nation's first Secretary of War. Back home, he led a militia, funded by Massachusetts merchants, to help put down Shays' Rebellion. General Lincoln is buried in the Old Ship Burying Ground in Hingham.

The house in which he was born and died has portions that date back to the 1630's, making it one of the nation's oldest wood framed buildings.

May God continue to bless our Commonwealth.

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 Prayer.

During the session (Mrs. Haddad of Somerset being in the Chair), at the request of Ms. Peake of Provincetown, the members, guests and employees stood in a moment of silent tribute to the memory of former Provincetown Selectman Richard Olson who passed away on January 3, 2018 at 75 years old.

Richard Olson.

Mr. Olson graduated from the Roxbury Latin School in 1960, Harvard College in 1964 and Harvard Law School in 1968. He was a member of the US Coast Guard Reserves from 1965 to 1972. He served as bond counsel at Palmer and Dodge in Boston until his retirement to Provincetown in 1988.

In addition to his love and support of arts organizations in both Boston and Provincetown, he embraced public service. He served on the Provincetown Board of Selectmen for five years, four of which overlapped with Representative Peake's service on the Board. In addition, he also served five years on the Planning Board and later became chair of the Cemetery Commission; a post he held until late 2017.

Message from the Governor.

A message from His Excellency the Governor submitting the annual budget of the Commonwealth for the fiscal year beginning July 1, 2018 (House, No. 2), was filed this day in the office of the Clerk.

General
Appropriation
Bill.

The message was read; and it was referred, under Rule 30, with the accompanying schedules, to the committee on Ways and Means.

Statement Concerning Representative Dwyer of Woburn.

A statement of Mrs. Haddad of Somerset concerning Mr. Dwyer of Woburn was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Dwyer of Woburn, is unable to be present in the House Chamber for today's sitting due to his recovery from knee replacement surgery. His missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Mr. Dwyer
of Woburn.

Statement Concerning Representative Kocot of Northampton.

A statement of Mr. Moran of Boston concerning Mr. Kocot of Northampton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kocot of Northampton, was unable to be present in the House Chamber for today's sitting. If he could have been present today, he would have voted in the affirmative on roll call number 307, on passing to be engrossed the House Bill financing the production and preservation of housing for low and moderate income residents. His missing of roll calls today was due entirely to the reason stated.

Statement
concerning
Mr. Kocot of
Northampton.

Guests of the House.

The noon recess having terminated, the Speaker took the Chair, and introduced six courageous Department of Conservation and Recreation (DCR) park rangers – Thomas Bowes, Lloyd Brown, James Godding, Sean Malley, Eric Rego and Lieutenant Mark Dowd.

DCR Park Rangers
Bowes, Brown,
Dowd Godding,
Malley and Rego.

The Speaker stated that earlier this month, DCR Ranger Steven Crombie suffered a medical episode while on duty at the State House. He was found in a guard shack not breathing and unresponsive. With determination and teamwork, this group of rangers performed CPR and administered an AED. Because of their quick thinking, Steven was breathing by the time emergency services arrived. Ranger Crombie was transported to Massachusetts General Hospital and was discharged to go home a few weeks later. The Speaker further stated that Steven is alive because of the actions of the six rangers. The Speaker offered his personal gratitude. In addition to being a colleague, Ranger Crombie is a Winthrop native whose family the Speaker has known for some time.

The rangers were presented with Citations of the House recognizing their quick thinking and heroism on January 3, 2018, which saved the life of DCR Park Ranger Steven Crombie. They were the guests of Representatives Barber of Somerville,

Chan of Quincy, Cusack of Braintree, Cutler of Duxbury, Lyons of Andover and Ryan of Boston.

Communication.

A communication from the Bristol County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of said report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Bristol County
Registry,—
technology fund.

Monthly Report.

A monthly report of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for January 2018, was placed on file.

Unemployment
Trust Fund.

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 Carmine L. Gentile, James B. Eldridge and Danielle W. Gregoire for legislation to establish a sick leave bank for Lauri Smith-Bopp, an employee of the Department of Revenue. To the committee on Public Service.

Lauri Smith-
Bopp,—
sick leave.

Petition (accompanied by bill) of Smitty Pignatelli for legislation to designate a certain bridge spanning United States highway route 20 on Laurel Street in the town of Lee as the Louis J. Digrigoli memorial bridge. To the committee on Transportation.

Lee,—
Digrigoli
bridge.

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

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

To expand membership opportunities in local cultural councils (House, No. 1782);

Local cultural
councils.

Establishing a sick leave bank for Zelpha Bennett, an employee of the Executive Office for Administration and Finance (House, No. 4119); and

Zelpha Bennett,—
sick leave.

Establishing a sick leave bank for Joseph Loughman, an employee of the Trial Court of the Commonwealth (House, No. 4141);

Joseph
Loughman,—
sick leave.

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill providing for mental wellness training for

Police,—
mental wellness

UNCORRECTED PROOF.

police officers (House, No. 2496). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to public access to Long Island in Boston Harbor (House, No. 394).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the recovery of emergency response costs (House, No. 1277).

By the same member, for the same committee, on a petition, a Bill relative to elevator inspection fee waiver for non-profits (House, No. 1301).

By the same member, for the same committee, on a petition, a Bill to equitably support enhanced 911 service (House, No. 2631).

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill to enhance child passenger safety (House, No. 1243).

By the same member, for the same committee, on a petition, a Bill relative to law enforcement officers safety act (House, No. 1248).

By the same member, for the same committee, on a petition, a Bill relative to the maximum storage charges on motor vehicles involuntarily towed (House, No. 2509).

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 Elizabeth O'Brien, an employee of the department of the Attorney General (see Senate, No. 2176, 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.

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 2 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Designating the town administrator and the director of municipal finance as town meeting members at large in the town of Milford (see House, No. 3764); and

Relative to a certain license for the sale of all alcoholic beverages to be drunk on the premises in the city of Beverly (see House, No. 3950);

(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.

training.

Boston Harbor,—
Long Island.

Emergency response,—
costs.

Elevators,—
inspections.

Enhanced 911 service.

Child passengers,—
safety.

Law enforcement.

Towed vehicles,—
storage charges.

Elizabeth O'Brien,—
sick leave.

Bills enacted.

Recesses.

At ten minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and at twenty-seven minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Ms. Gifford, until ten minutes before two o'clock; and at that time the House was called to order with Mr. Donato in the Chair.

Matter Discharged from the Orders of the Day.

The House Bill financing the production and preservation of housing for low and moderate income residents (House, No. 4134), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Honan of Boston.

Housing
production.

After debate on the question on passing the bill to be engrossed, Mr. Petrolati of Ludlow moved to amend it by adding the following section:

“SECTION 30. Amend MGL, Chapter 40A, Section 6, fourth paragraph by inserting the following language after the first sentence:

‘Any such increase will also not apply if after such recording or endorsement the lot is held, at any time, in common ownership with adjoining land.’”.

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by striking out section 22 and inserting in place thereof the following section:

“SECTION 22. Section 125 of said chapter 287 is hereby amended by striking out the words ‘46, 48, 56A, 61, 63 and’”.

The amendment was adopted.

Ms. Peake of Provincetown then moved to amend the bill by inserting after section 10 the following section:

“SECTION 10A. Subsection (i) of said section 6M of said chapter 62, as added by said section 29 of said chapter 238, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The total value of the tax credits authorized pursuant to this section, together with section 38EE of chapter 63, shall not exceed \$3,000,000 in taxable year 2014, \$6,000,000 in each of taxable years 2015 to 2018, inclusive, \$8,000,000 in each of taxable years 2019 and 2020, \$10,000,000 in each of taxable years 2021 and 2022 and \$12,000,000 in each of taxable years 2023 to 2025, inclusive.”;

And by inserting after section 16 the following section:

“SECTION 16A. Subsection (i) of said section 38EE of said chapter 63, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The total value of the tax credits authorized pursuant to this section, together with section 6M of chapter 62, shall not exceed \$3,000,000 in taxable year 2014, \$6,000,000 in each of taxable years 2015 to 2018, inclusive, \$8,000,000 in each of taxable years 2019 and 2020, \$10,000,000 in each of taxable years 2021 and 2022 and \$12,000,000 in each of taxable years 2023 to 2025, inclusive.”.

The amendments were adopted.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Jones of North Reading then moved to amend the bill, in section 2, in lines 33 and 34, by striking out the words “EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES Office of the Secretary;” and inserting in place thereof the words “EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT Department of Housing and Community Development”;

And in lines 59 and 60 by striking out the words “EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT Department of Housing and Community Development”.

The amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 29, in line 518, by striking out the following: “10 and 15” and inserting in place thereof the following: “8 and 11”.

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, Mr. Donato of Medford thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad of Somerset), having determined that a quorum was not in attendance, then directed the Sergeant-at- Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 148 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 306.

[See Yea and Nay No. 306 in Supplement.]

Therefore a quorum was present.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Honan of Boston; and on the roll call 150 members voted in the affirmative and 1 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 307.

[See Yea and Nay No. 307 in Supplement.]

Therefore the bill (House, No. 4134, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Mr. Linsky of Natick was spread upon the records of the House as follows:

MADAM SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call, I voted in the affirmative. However, I now find that, for some inexplicable reason, my vote was not recorded.

Statement of
Mr. Linsky of
Natick.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Ms. Gifford of Wareham then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at a quarter before six o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven

o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JANUARY 25, 2018.

[10]

JOURNAL OF THE HOUSE.

Thursday, January 25, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Stability and Reliance, we ask Your blessing upon the men and women who work in and throughout our State House and especially upon the members of this chamber.

Prayer.

God of Artistry, we give thanks for a native son of the Commonwealth who was born on this day in 1936. Don Featherstone was an American artist most widely known for his 1957 creation of the plastic pink flamingo while working for Union Products in Fitchburg. Featherstone resided in Fitchburg where he kept 57 plastic flamingos on his front lawn. He died in 2015.

We pray then for 3rd Worcester District Representative Stephan Hay of Fitchburg and his staff.

May God continue to bless our Commonwealth.

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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced, seated in the House Chamber, fifth and sixth grade students from the Abigail Adams Middle School in Weymouth. The students were accompanied by their teacher Courtney Bulman. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Murphy of Weymouth.

Weymouth,—
Abigail Adams
Middle School.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Ethan Gowell Cattanach on receiving the Eagle Award of the Boy Scouts of America;

Ethan
Cattanach.

Resolutions (filed by Ms. Garlick of Needham) congratulating Michael David Kazierad on receiving the Eagle Award of the Boy Scouts of America;

Michael
Kazierad.

Resolutions (filed by Ms. Garlick of Needham) congratulating Brendan Allan Rock on receiving the Eagle Award of the Boy Scouts of America;

Brendan
Rock.

Resolutions (filed by Ms. Hogan of Stow) congratulating Noah A. Travalent on achieving the rank of Eagle Scout with the Boy Scouts of America; and

Noah
Travalent.

UNCORRECTED PROOF.

Resolutions (filed by Mr. Linsky of Natick) congratulating Benjamin J. Ninemire on receiving the Eagle Award of the Boy Scouts of America;

Benjamin
Ninemire.

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

Reports.

Reports

Of the Office of the Auditor of the Commonwealth (under Section 54 of Chapter 110 of the Acts of 2017) submitting the Division of Local Mandates' certified expenses for the 351 cities and towns of the Commonwealth from the early voting period of 2016; and

Auditor,—
early voting
local expenses.

Of the Division of Capital Asset Management and Maintenance (under Section 6 of Chapter 7C of the General Laws) submitting its Supplier Diversity – Affirmative Marketing Program for Design and Construction report for the fiscal year 2017;

DCAMM,—
supplier
diversity.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 4148) of Shawn Dooley and Richard J. Ross (by vote of the town) that the town of Norfolk be authorized to convey certain land on Priscilla Avenue in said town. To the committee on Municipalities and Regional Government.

Norfolk,—
land.

By Mr. Vargas of Haverhill, a petition (accompanied by bill, House, No. 4149) of Andres X. Vargas (with the approval of the mayor and city council) that the city of Haverhill be authorized to assess fines for failure to relocate or remove utility poles and wires. To the committee on Telecommunications, Utilities and Energy.

Haverhill,—
utility fines.

Severally sent to the Senate for concurrence.

Mr. Walsh of Framingham presented a petition (subject to Joint Rule 12) of Chris Walsh and others for legislation to establish a center for workforce development programs for persons with intellectual and developmental disabilities within the Department of Career Services; and the same was referred, under Rule 24, to the committee on Rules.

Workforce
development
center.

Paper from the Senate.

A petition of Adam G. Hinds and John Barrett for legislation to remove the residency requirement for the appointment of a forest warden, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Forest
wardens,—
residency.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2270) was referred, in concurrence, to the committee on Municipalities and Regional Government.

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 Sarah K. Peake for legislation to authorize municipalities to offer property tax relief to certain eligible homeowners. To the committee on Revenue.

Property taxes.

Petition (accompanied by bill) of Steven S. Howitt for legislation to designate Route 1, Route 20 and Route 6 as historic United States routes. To the committee on Transportation.

Historic routes.

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

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

The Senate Bill designating May 6 as Moyamoya Disease Awareness Day (Senate, No. 1723); and

Moyamoya disease day.

The House Bill relative to procurement services for artists (House, No. 1788);

Artists.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill establishing a community safe school fund (House, No. 1082). Read; and referred under Rule 33, to the committee on Ways and Means.

Safe schools.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill to hold property owners accountable for recurring public nuisance (House, No. 1077).

Public nuisances.

By the same member, for the same committee, on a petition, a Bill relative to the procedure for approval of plans not subject to subdivision control law (House, No. 1083).

Subdivision control.

By the same member, for the same committee, on a petition, a Bill relative to regional stabilization funds (House, No. 1085).

Stabilization funds.

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

Orders of the Day.

The Senate Bill exempting certain positions of the police department of the town of Adams from the civil service law (Senate, No. 2154), 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

Abolishing the Board of License Commissioners in the town of Salisbury

Third

UNCORRECTED PROOF.

(House, No. 4029) (its title having been changed by the committee on Bills in the Third Reading); and

reading
bills.

Designating a certain bridge in the city of Fall River as the Ronald Costa Bridge (House, No. 4031);

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. DeLeo of Winthrop,—

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

Next
sitting.

At nine minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JANUARY 29, 2018.

[11]

JOURNAL OF THE HOUSE.

Monday, January 29, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Gracious God, we give You thanks for the many blessing we citizens of Massachusetts enjoy and sometimes take for granted. We pray for the members of this General Court and their staff.

Prayer.

We remember that tomorrow marks the 202nd anniversary of Nathaniel Banks' birth. Born in Waltham, Banks was a skilled, chameleon-like politician. In a time of multiple political parties, Banks was elected to various offices as a member of the Democratic, Know-Nothing, Republican, and Liberal Republican parties.

He served the Commonwealth as a state Representative, rising at one point to become the Speaker of this House in 1851 until his election to the US Congress in late 1852. He then served as the Speaker of the US House of Representatives for one year - 1856. He returned to Massachusetts to serve two terms as Governor until his appointment as a Major General for the Union Army by President Lincoln.

He had a poor reputation as an Army leader and returned to Massachusetts in September of 1865. He was then elected again to Congress, to the state Senate and then again to Congress where he served until 1878.

Nathaniel Banks died in 1894 in his hometown of Waltham.

May God continue to bless our Commonwealth.

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.

A message from His Excellency the Governor recommending legislation relative to making appropriations to provide funding for certain activities and projects associated with the Commonwealth's efforts to assist the residents of Puerto Rico and the United States Virgin Islands (House, No. 4158), was filed this day in the office of the Clerk.

Puerto Rico and
the United States
Virgin Islands,—
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Communication.

A communication from the Bristol County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies

Bristol County
Registry,—
technology fund.

of said report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Papers from the Senate.

Bills

Establishing regional commissions on the status of women (House, No. 1110, amended), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 14, in section 2, in line 62, and in section 3, in line 105, inserting after the word “appointed”, in each instance, the words “and qualified”; and in section 1, in line 16, in section 2, in line 64, and in section 3, in line 107, inserting after the word “since”, in each instance, the words “the conclusion of”; and striking out section 4; and

Status of women,— regional commissions.

Authorizing the Deerfield Area Fire Protection District to continue the employment of Fire Chief Chester Yazwinski (House, No. 3957), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following:

Deerfield,— Chester Yazwinski.

“SECTION 2. This act shall take effect as of May 3, 2017.”;

The amendments severally were referred, under Rule 35, to the committee on Bills in the Third Reading.

A Bill negating archaic statutes targeting young women (Senate, No. 2260, amended in section 2, in line 7, by striking out the following: “Sections 19 to 21” and inserting in place thereof the following: “Section 14 and sections 18 to 21” (as changed by the Senate committee on Bills in the Third Reading); and in section 3, in lines 13 and 14, by striking out the words “a registered physician” and inserting in place thereof the words “an authorized health care provider”) (on Senate bill No. 784), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 1E, to the committee on Health Care Financing.

Women’s health,— public health laws.

A Bill providing for the licensing of certain motor vehicle inspection stations (Senate, No. 2261) (on Senate bill No. 2139), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Motor vehicle inspection stations.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2273) Eileen M. Donoghue for legislation to regulate online gaming, daily fantasy sports, and online sports betting. To the committee on Economic Development and Emerging Technologies.

Online gaming,— regulation.

Petition (accompanied by bill, Senate, No. 2272) of Patrick M. O’Connor for legislation to establish an early retirement incentive for Charles Mark Brown. To the committee on Public Service.

Charles Brown,— retirement.

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 David F. DeCoste and Douglas Thomson for legislation to exempt certain candidates from signing certain campaign finance

Political candidates,— affidavits.

UNCORRECTED PROOF.

affidavits. To the committee on Election Laws.

Petition (accompanied by bill) of Alan Silvia, Carole A. Fiola and others for legislation to designate the boardwalk at Heritage State Park in the city of Fall River as the Robert Correia boardwalk. To the committee on Environment, Natural Resources and Agriculture.

Fall River,—
Correia
boardwalk.

Petition (accompanied by bill) of David F. DeCoste and others relative to the reserve funds of condominiums. To the committee on Housing.

Condominiums,—
reserve funds.

Petition (accompanied by bill) of Chris Walsh and others for legislation to establish a center for workforce development programs for persons with intellectual and developmental disabilities within the Department of Career Services. To the committee on Labor and Workforce Development.

Workforce
development
center.

Petition (accompanied by bill) of Shawn Dooley relative to call and volunteer firefighters and emergency medical technicians. To the committee on Public Service.

Firefighters
and EMTs.

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. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

To hold property owners accountable for recurring public nuisance (House, No. 1077);

Recurring
nuisances.

Relative to regional stabilization funds (House, No. 1085);

Regional funds.

To enhance child passenger safety (House, No. 1243);

Child passengers.

Relative to the maximum storage charges on motor vehicles involuntarily towed (House, No. 2509);

Involuntarily
towing.

Relative to restricted vital records (House, No. 2673);

Vital records.

Amending the charter of the town of Chelmsford relative to town manager, administrative powers and duties (House, No. 4071) [Local Approval Received]; and

Chelmsford,—
town
manager.

Relative to boards and commissions of the city of Boston (House, No. 4086) [Local Approval Received];

Boston,—
boards and
commissions.

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

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, asking to be discharged from further consideration:

Of the petition (accompanied by bill, Senate, No. 80) of Harriette L. Chandler for legislation relative to smart growth housing trust fund; and

Smart growth,—
trust fund.

Of the petition (accompanied by bill, Senate, No. 81) of Harriette L. Chandler, Michael J. Barrett, José F. Tosado, Chris Walsh and other members of the General Court for legislation to promote housing and sustainable development;

Housing and
sustainable
development.

And recommending that the same severally be referred to the committee on Municipalities and Regional Government.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill improving students' access to life saving treatments (House, No. 278).

Treatments,—
student access.

UNCORRECTED PROOF.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, Nos. 639 and 2236, a Bill investing in public higher education (House, No. 4153).

Public education.

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill to provide equal access to the Bureau of Special Education Appeals (House, No. 223).

Special education,— appeals.

By the same member, for the same committee, on a petition, a Bill relative to regional bonus aid (House, No. 251).

Regional bonus aid.

By the same member, for the same committee, on a petition, a Bill providing for alternatives to fines for failure to send (House, No. 2031).

Schools,— failure to send.

By the same member, for the same committee, on a petition, a Bill creating assignment levels in the Department of Early Education and Care (House, No. 2862).

Day care centers,— assignments.

By the same member, for the same committee, on House, Nos. 2044 and 2871, a Bill relative to effective resource allocation in schools (House, No. 2871)

Schools,— resources.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill to update the public shade tree law (House, No. 1088).

Shade tree law.

By the same member, for the same committee, on a petition, a Bill creating a commission to study the effects of unfunded mandates on municipalities (House, No. 1096).

Unfunded mandates.

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to regional schools (House, No. 271).

Regional schools.

By the same member, for the same committee, on a petition, a Bill relative to hazing in schools (House, No. 305).

Schools,— hazing.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Elise Sanchez-Oshea, an employee of the Trial Court (House, No. 4150).

Elise Sanchez-Oshea,— sick leave.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Marshfield to withdraw from the Metropolitan Area Planning District (House, No. 1098) [Local Approval Received].

Marshfield,— planning district.

By the same member, for the same committee, on a petition, a Bill extending municipal bonding terms for local infrastructure development programs (House, No. 1105).

Municipalities,— bonding terms.

By the same member, for the same committee, on a petition, a Bill relative to vacant and abandoned property in the Commonwealth (House, No. 1109).

Vacant property.

By the same member, for the same committee, on a petition, a Bill relative to authorizing governmental bodies and other approved parties to use shared legal representation and consultants in matters of common interest (House, No. 1111).

Legal representation,— shared services.

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

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Elizabeth O'Brien, an employee of the department of the Attorney General (see Senate, No. 2176, 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.

Engrossed bills

Exempting certain positions of the police department of the town of Adams from the civil service law (see Senate, No. 2154) (which originated in the Senate);

Bills
enacted.

Designating May as Asian American Pacific Islander month (see House, No. 3360);

Authorizing the appointment of special police officers in the city of Malden (see House, No. 4016, amended); and

Further regulating the Massachusetts Port Authority community advisory committee (see House, No. 4088);

(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 designating a certain bridge in the town of Needham as the James J. Delaney II, USMC Veterans Memorial Bridge (Senate, No. 1985, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Needham,—
Delaney
bridge.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it in line 1 by striking out the following: "Project 60635" (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the following: "Bridge number N-04-027".

The amendment was adopted; and the bill (Senate, No. 1985, changed and amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill designating a certain bridge as the George Allaire Memorial Bridge (House, No. 3684), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Yarmouth,—
Allaire
bridge.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4157), 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 life insurance (House, No. 3894), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Life
insurance.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of

UNCORRECTED PROOF.

Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“Section 2 of chapter 176 of the acts of 2010 is hereby amended by striking out, in line 7, the words ‘, including a policyholders advisory board which may make recommendations to the company on maintaining safe low-cost insurance’.”

The amendment was adopted; and the bill (House, No. 3894, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at six minutes after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to Alzheimer's and related dementias in the Commonwealth (House, No. 4116), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Alzheimer's and related dementias,—
commission.

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

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

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

Representatives DeCoste of Norwell and Kane of Shrewsbury then moved that when the House adjourns today, it do so in respect to the memory of Roger Sumner Babb, a member of the House from Norwell from 1969 to 1974, inclusive; and the motion prevailed.

Accordingly, at ten minutes after five o'clock P.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JANUARY 31, 2018.

[12]

JOURNAL OF THE HOUSE.

Wednesday, January 31, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Compassion and Care, we pray today for the many persons living in our Commonwealth who make Massachusetts their home. We give thanks for the efforts of our lawmakers and their staff to help our citizens in their times of need. We give thanks for the many servants of the Commonwealth who did their best throughout the years of their service.

Prayer.

We remember that today marks the anniversary of the 1820 birth of William Washburn. Born in Winchendon, Washburn was a businessman, a furniture maker who later became a banker in Greenfield, and a developer of railroads in Massachusetts.

He served the Commonwealth as a member of this House, the state Senate, as well as Governor. He was also a member of the United States Congress in both houses. During his time as Governor, the "Great Boston Fire of 1872" occurred. As governor and as a bank president, Washburn knew the importance of getting the capital city back on its feet as soon as possible. He signed into law bills that enabled the city to offer bonds to speed up its rebuilding efforts.

Washburn also served on a commission that was responsible for the oversight of the funding of the Hoosac Tunnel in western Massachusetts. It ended up costing ten times the amount budgeted and received its nickname, The Great Bore.

We pray for 2nd Worcester District Representative Jonathan Zlotnik and his staff.

May God continue to bless our Commonwealth.

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.

Statement Concerning Representative Kocot of Northampton.

A statement of Mrs. Haddad of Somerset concerning Mr. Kocot of Northampton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kocot of Northampton, was unable to be present in the House Chamber for today's sitting. If he could have been present today, he would have voted in the affirmative on roll calls 308, 309, and 310. His missing of roll calls today was due entirely to the reason stated.

Statement concerning Mr. Kocot of Northampton.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Professor Patrick Loch Otieno Lumumba. Professor Lumumba is a Kenyan who served as the Director of the Kenya Anti-Corruption Commission from September 2010 to August 2011 and is currently the Director of the Kenya School of Laws since 2014. He is well known for his powerful anti-corruption speeches and selfless work for African empowerment. He was the guest of the Chair.

Professor
Patrick Loch
Otieno
Lumumba.

Appointments of the Speaker and the Minority Leader.

The Speaker announced that (under Section 14 of Chapter 23A of the General Laws, as amended by Section 42 of Chapter 46 of the Acts of 2015) he had appointed Representative Mark of Peru to be his designee on the Rural Policy Advisory Commission; and

Rural Policy
Advisory
Commission.

The Minority Leader of the House announced that (under House order No. 3652 of the 190th General Court, adopted by the House of Representatives on April 24, 2017 and by the Senate on November 8, 2017) he had appointed Representative Orrall of Lakeville to serve as his designee on the Martin Luther King, Jr. Memorial Committee.

Martin Luther
King, Jr.
Memorial
Committee.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 4162) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) relative to the appointment of a treasurer-collector in the town of Stockbridge; and

Stockbridge,—
treasurer-
collector.

By Representative Goldstein-Rose of Amherst and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4163) of Solomon Goldstein-Rose and Stanley C. Rosenberg (by vote of the town) that the town of Amherst be authorized to establish a public art fund in said town;

Amherst,—
art fund.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Haddad of Somerset and Senator Pacheco, a joint petition (subject to Joint Rule 12) of Patricia A. Haddad and Marc R. Pacheco for legislation to authorize the county commissioners of Bristol County to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at Bristol County Agricultural High School in the town of Dighton.

Dighton,—
agricultural
school.

By Mr. McMurtry of Dedham (by request), a petition (subject to Joint Rule 12) of Alexander MacLean relative to court-ordered termination of parental rights of rapists.

Parental
rights.

By Mr. Michlewitz of Boston, a petition (subject to Joint Rule 12) of Aaron Michlewitz relative to the uses of the land owned by the Commercial Wharf East Condominium and its condominium unit owners in the city of Boston under the tidelands law.

Boston,—
condominiums.

By Messrs. Rogers of Cambridge and Connolly of Cambridge, a petition

Marijuana,—

(subject to Joint Rule 12) of David M. Rogers, Mike Connolly and others relative to the use of state resources to assist investigations or prosecutions, under federal law, of individuals for activities relative to the use and distribution of marijuana and medical marijuana.

investigations.

By Messrs. Rogers of Cambridge and Vargas of Haverhill, a petition (subject to Joint Rule 12) of David M. Rogers, Andres X. Vargas and others for legislation to provide for net neutrality and consumer protection.

Net
neutrality.

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

Paper from the Senate.

A Bill authorizing the city of Easthampton to lease certain real estate (Senate, No. 2152, changed in section 1, in line 1, by inserting after the word “contrary,” the following: “but subject to paragraphs (a), (b), and (g) of section 16 of chapter 30B of the General Laws,” and in line 3 by striking out the figures “40” and inserting in place thereof the figures: “44”) (as changed by the Senate committee on Bills in the Third Reading) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, were read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Easthampton,—
lease.

Reports of Committees.

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

Relative to regional schools (House, No. 271);

Regional schools.

Relative to hazing in schools (House, No. 305);

Hazing.

Authorizing the town of Marshfield to withdraw from the Metropolitan Area Planning District (House, No. 1098) [Local Approval Received];

Marshfield,—
withdrawal.

Relative to vacant and abandoned property in the Commonwealth (House, No. 1109); and

Vacant
property.

Establishing a sick leave bank for Elise Sanchez-Oshea, an employee of the Trial Court (House, No. 4150);

Elise Sanchez-
Oshea,—
sick leave.

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

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to the economic mobility and stability program (House, No. 3020). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Housing,—
commission.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, No. 41 and on a part of House, No. 23, a Bill relative to student debt (House, No. 41).

Student
debt.

By the same member, for the same committee, on Senate, No. 670 and House, No. 628, a Bill to authorize state universities to offer clinical and professional doctorate programs (House, No. 628).

Doctorate
programs.

By the same member, for the same committee, on House, No. 2998, a Resolve creating a task force on sexual misconduct climate surveys for colleges and

Colleges,—
sexual
misconduct.

UNCORRECTED PROOF.

universities in Massachusetts (House, No. 4159).

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill to protect families experiencing homelessness from having to sleep in unsafe places (House, No. 659) [Representative DeCoste of Norwell dissenting].

By the same member, for the same committee, on a petition, a Bill relative to manufactured housing communities (House, No. 666). [Representatives Diehl of Whitman and DeCoste of Norwell dissenting].

By the same member, for the same committee, on a petition, a Bill to establish an apprenticeship program to ready vacant public housing apartments for occupancy (House, No. 670).

By the same member, for the same committee, on a petition, a Bill relative to interagency efforts to reduce and prevent homelessness (House, No. 2245).

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the creation of regional disability commissions (House, No. 3209).

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill regarding municipal fines (House, No. 1116).

By the same member, for the same committee, on a petition, a Bill supporting our natural landmarks (House, No. 1117).

By the same member, for the same committee, on a petition, a Bill relative to electric signatures for town warrants (House, No. 2418).

By the same member, for the same committee, on a petition, a Bill relative to handicap automobile licenses or placards (House, No. 2425).

By the same member, for the same committee, on a petition, a Bill supporting municipal fiscal stability through a special education stabilization fund (House, No. 3216).

By the same member, for the same committee, on a joint petition, a Bill relative to the town manager of the town of Upton (House, No. 4121) [Local Approval Received].

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill increasing the maximum age to be eligible for appointment as a special police officer in the city of Somerville (House, No. 4085) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Jason Dobson, an employee of the Department of Correction (House, No. 4139).

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

Emergency housing assistance.

Manufactured housing communities.

Apprenticeship training program.

Low income,—services.

Disability commissions,—regional.

Municipal fines.

Landmarks,—protection.

Electric signatures.

Handicap licenses.

Special education fund.

Upton,—town manager.

Somerville,—police officers.

Jason Dobson,—sick leave.

Engrossed Bills.

Engrossed bills

Further regulating the use of funds in the Massachusetts Water Resources Authority Capital Infrastructure Fund in the town of Stoughton (see House, No. 3958); and

Further regulating certain activities of the Lake Quinsigamond Commission (see House, No. 4039);

Bills enacted.

UNCORRECTED PROOF.

(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.

Recess.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed to five minutes before two o'clock P.M.; and at three minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Address of Speaker Robert A. DeLeo of Winthrop.

The Speaker then took the Chair and made remarks to the members, guests, employees, and the citizens of the Commonwealth, as follows:

Friends, colleagues: Thank you.

It is an honor to join you today; it is an honor to serve as Speaker of this institution which we love so much.

As Representatives, we are close to the people; tied to our districts. We hear the concerns of our constituents directly and we stand up for those in need. That may not be flashy, and it's certainly not what we heard about last night in Washington, but it is at the core of what we do. We listen. We learn. We help. That role endures as we address the issues of the day, all while also being sound fiscal stewards.

As in prior years, we will pass a balanced budget that takes care of our most vulnerable residents while maintaining fiscal discipline. We will do so with a budget that comes out of House Ways and Means with no new broad-based taxes.

And today, we take up an interim spending bill that addresses some of the Commonwealth's most pressing needs.

In the wake of the devastating storms in Puerto Rico, we will provide aid to students who have relocated here. These fellow Americans — and those educating them — deserve our support.

We have all become acutely aware of the critical, pervasive and distressing issues at the heart of the "Me Too" conversation.

Earlier today, I joined other members to attend a House listening session, part of Counsel's ongoing review the House's policies relating to sexual harassment. As Counsel prepares its independent review, we must also be mindful of the existing supports the Commonwealth has for those reporting sexual harassment. We have heard directly from MCAD that requests for sexual harassment training are up dramatically, and they expect an increase in the filing of sexual harassment complaints. The funds we will allocate today will allow MCAD to hire two additional staffers for training and one new investigator.

This year, I am proud that with all of the challenges coming from Washington, we've kept our eye on the ball: advancing Massachusetts' leadership while remaining true to our values.

I can think of no policy topic that exemplifies this balance more than healthcare. We have a moral obligation to ensure that people have access to high-quality, affordable healthcare. Through our work, Massachusetts has set the national example. We have much to be proud of: near universal insurance coverage, the best

Remarks of
the Speaker.

hospitals in the world, and a slower cost growth than the rest of the country. But we must always remain vigilant — especially as the healthcare landscape continues to change dramatically.

That is why we will be taking up healthcare reform in the coming months. This legislation will maximize the impact of our existing infrastructure and will include new strategies to bring down costs, improve quality and enhance access. These include:

Supporting our community hospitals and community health centers. These institutions are both economic engines and safety nets within our districts. Shielding patients from bearing the burden of rising healthcare costs and ensuring that they have all the information necessary to make informed decisions.

Empowering businesses by giving them an expanded toolbox.

Increasing pharmaceutical spending transparency while cultivating our reputation as an international leader in research and innovation.

In Massachusetts we are heirs to a tradition of discovery. We take pride in that legacy but we also take concrete steps to advance it.

The Legislature's \$1 billion investment in life sciences has paid off. Today, 18 of the top 20 biopharma firms and all 10 of the world's leading medical device companies have a presence in Massachusetts.

This session we will renew our commitment to innovators and industries at the forefront of scientific and technological breakthroughs.

We will take up legislation providing financial support for the life sciences sector. These funds are critical to maintaining our competitive edge, promoting advanced manufacturing and developing a productive workforce. Our work to foster a responsive talent pipeline and provide residents with educational opportunities begins before they learn about science and tech. In fact, it begins before they enter the doors of an elementary school.

We will build on the House's ongoing commitment to providing high-quality early education and care, in large part by supporting our EEC workforce. This means developing an action plan to build a sustainable workforce development system, one that is responsive to the distinct needs of the EEC field. We know that the EEC years provide a unique opportunity for us to impact learning outcomes for children.

We also know that it is an equally vital time for addressing mental health. I am currently working with the Chairs of Education and Mental Health, as well as the Child Advocate, to coordinate efforts as we again prioritize children's long-term social, emotional and academic success by investing in early childhood mental health services. And once children reach school age, we similarly recognize the need to provide effective student supports that go beyond academia. But we also realize that our schools cannot do it alone.

Therefore, we will build on our Safe and Supportive Schools initiative, created in the 2014 Gun Law, to help schools integrate student supports, leverage preexisting investments, and coordinate school and community based resources. As we foster the intellectual and emotional growth of our students, we also want them to gain the requisite skills to participate in our democracy. Now, more than ever, we need to ensure children understand the importance of civic engagement, understand the role of state and federal government, and understand the rewards and duties of being an American in a well-functioning democracy.

In our House and in Massachusetts, we are fortunate to enjoy a spirit of civil debate. For example, Leader Jones and I may have our disagreements. But when we disagree, we do so with a sense of the history and solemnity of the House of

Representatives. One cannot look at the roiling national political climate of the last 24 months and not realize that too many are unaware of our basic political tenets and traditions. In the void, pernicious beliefs and basic untruths can take hold.

Several members of the House have been hard at work with the Chair of Education on a bill stressing the importance of civics education. And I have to recognize our Senate President, the gentle lady from Worcester, for her leadership on this issue.

The House will move forward on a civics education bill and increase our existing support for the JFK Library as it engages students, a cause we championed in the FY18 budget as we marked the 100th anniversary of President Kennedy’s birth.

Massachusetts helped make America. We can again help her live up to her ideals by reminding our young people of them.

Today, we approach our work with renewed energy, based on a shared responsibility: Standing up for those we represent.

Thank you.

Mr. Mariano of Quincy then moved that the remarks of the Speaker be spread upon the records of the House; and the motion prevailed.

Reports of Committees.

Prior to the noon recess, Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 4158, reported a Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4160) [Total appropriation: \$16,500,000.00] [Representative Boldyga of Southwick dissenting]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

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

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under further suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it in section 2A by inserting, after item 7061-0011, the following item:

“0521-0007 For reimbursements to municipalities for costs associated with the implementation of the mandated provisions of early voting for the November 8, 2016 State Election as required by section 25B of chapter 54 of the General Laws, as was determined through the collection and certification of accurate accounting by the state auditor and division of local mandates. Any unexpended funds in this item shall be made available until June 30, 2018.....\$1,063,978.14”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Amendment adopted,—
yea and nay
No. 308.

[See Yea and Nay No. 308 in Supplement.]

Therefore the amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of

Bill passed to
be engrossed,—

the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 153 members voted in the affirmative and 0 in the negative.

yea and nay
No. 309.

[See Yea and Nay No. 309 in Supplement.]

Therefore the bill (House, No. 4160, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Matter Discharged from the Orders of the Day.

The House Bill relative to Alzheimer's and related dementias in the Commonwealth (House, No. 4116), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Gregoire of Marlborough.

Alzheimer's
and related
dementias,—
commission.

After debate on the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it in section 1, in line 26, by inserting after the word "designee" (the second time it appears) the words "; the ranking Senate Republican of the Joint Committee on Elder Affairs or a designee; the ranking House Republican of the Joint Committee on Elder Affairs or a designee". The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Gregoire of Marlborough; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 310.

[See Yea and Nay No. 310 in Supplement.]

Therefore the bill (House, No. 4116, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Jones of North Reading then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-three minutes after four o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 1, 2018.

[13]

JOURNAL OF THE HOUSE.

Thursday, February 1, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Care and Protection, we ask You to watch over the many citizens of Massachusetts today and to guide our elected officials in their work on behalf of their constituents.

Prayer.

It was on this day in 1866, on an icy sidewalk in the city of Lynn, that Mary Baker Eddy slipped and hit her head. Her injury was reported by the local newspaper to be life-threatening.

Eddy came to experience that it was prayer and faith that led to her healing. Living in a time when snake oil salesmen and marginal medical procedures were the rule of the day, Mary Baker Eddy came to see the need to "reestablish primitive Christianity with its lost art of healing". She went on to found the Church of Christ Scientist in Boston that eventually included her own publishing company, newspaper, and religious educational system.

A religious organization founded by a woman was quite rare in 19th century America and the church is a tribute to her strength and conviction. Today one can visit the "Mother Church" here in Boston.

May God continue to bless our Commonwealth.

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.

Statement of Representative Rogers of Norwood.

A statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was called away from the formal session of January 31, 2018, due to an urgent district matter. Had I been present I would have voted in the affirmative of Roll Call 308 on Amendment 1 to H. 4160; and also in the affirmative on Roll Call 309 on passing to be engrossed H.4160. My missing of roll calls yesterday was due entirely to the reason stated.

Statement of Mr. Rogers of Norwood.

Resolutions.

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

Resolutions (filed by Representatives Haddad of Somerset and Howitt of

Celeste LaChance.

UNCORRECTED PROOF.

Seekonk) congratulating Celeste LaChance on the occasion of her retirement;	
Resolutions (filed by Representatives Haddad of Somerset and Howitt of Seekonk) congratulating Robert C. Sampson, Jr. on the occasion of his retirement;	Robert Sampson.
Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Mark Gerard Fitzpatrick on receiving the Eagle Award from the Boy Scouts of America;	Mark Fitzgerald.
Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Kyle Parker Heaney on receiving the Eagle Award from the Boy Scouts of America;	Kyle Heaney.
Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Patrick Edward O'Connor on receiving the Eagle Award from the Boy Scouts of America;	Patrick O'Connor.
Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Evan William Sepe on receiving the Eagle Award from the Boy Scouts of America; and	Evan Sepe.
Resolutions (filed by Messrs. Vega of Holyoke, Finn of West Springfield, Scibak of South Hadley, Velis of Westfield and Wagner of Chicopee) congratulating Priscilla LeBeau Chalmers upon the occasion of her retirement;	Priscilla Chalmers.
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. 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.	

Communication.

A communication from Worcester Regional Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting financial statements and auditors' report for the fiscal year ended June 30, 2017, was placed on file.	Worcester Regional Transit.
--	-----------------------------

Reports.

Reports	
Of the Northwestern District Attorney's Office (under Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2017;	Northwestern District,— wiretaps.
Of the Pension Reserves Investment Management Board (under Section 6 of Chapter 232 of the Acts of 2010) relative to divestment from Iran restricted securities;	Iran,— divestment.
Of the Pension Reserves Investment Management Board (under Section 4 of Chapter 151 of the Acts of 2007) relative to divestment from Sudan restricted securities; and	Sudan,— divestment.
Of the Pension Reserves Investment Management Board (see Section 23 of Chapter 32 of the General Laws) submitting a report listing all tobacco related investments and their book value as of December 1, 2017.	PRIM,— tobacco.
Severally were placed on file.	

Petitions.

Petitions severally were presented and referred as follows:

UNCORRECTED PROOF.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (accompanied by bill, House, No. 4161) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises in said town; and

Dedham,—
liquor license.

By the same members, a joint petition (accompanied by bill, House, No. 4164) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises in said town;

Id.

Severally to the committee on Consumer Protection and Professional Licensure.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Whelan of Brewster, a petition (subject to Joint Rule 12) of Timothy R. Whelan and others relative to firearms furnished through the civilian marksmanship program.

Firearms,—
marksmanship
program.

By Messrs. Whelan of Brewster and Tucker of Salem, a petition (subject to Joint Rule 12) of Timothy R. Whelan, Paul F. Tucker and others for legislation to further regulate certain opioids or any derivative thereof.

Opioid
regulation.

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

Reports of Committees.

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

Relative to electric signatures for town warrants (House, No. 2418);

Electric signatures.

Relative to the town manager of the town of Upton (House, No. 4121) [Local Approval Received]; and

Upton,—
town manager.

Establishing a sick leave bank for Jason Dobson, an employee of the Department of Correction (House, No. 4139);

Jason
Dobson,—
sick leave.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2759) of Theodore C. Speliotis relative to reimbursement for personal injuries or property damage from defective ways,— and recommending that the same be referred to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Defective
ways.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill instructing the Massachusetts Department of Fish & Game to study the feasibility of repurposing the former Moon Island Sewage Treatment Plant for the purposes of fish and shellfish farms (House, No. 398).

Moon Island
sewage
treatment plant,—
repurpose.

By the same member, for the same committee, on a petition, a Bill relative to underground storage tanks (House, No. 428).

Underground
storage tanks.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill reducing packaging waste in the Commonwealth (House, No. 447).

By the same member, for the same committee, on a petition, a Bill to reduce solid waste and provide universal recycling access (House, No. 448).

By the same member, for the same committee, on a petition, a Bill to promote regionalization with watershed based permitting (House, No. 2118).

By the same member, for the same committee, on a petition, a Bill to establish a commercial fishing permit bank in the Commonwealth of Massachusetts (House, No. 2124).

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to proactively protecting automotive drivers (House, No. 1817).

By the same member, for the same committee, on a petition, a Bill relative to low digit number plates on leased vehicles (House, No. 1830).

By the same member, for the same committee, on a petition, a Bill to improve recycling along our state highways (House, No. 1903).

By the same member, for the same committee, on a petition, a Bill relative to aviation preservation restrictions (House, No. 2735).

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill providing for the establishment of sustainable water resource funds (House, No. 2116).

By the same member, for the same committee, on a petition, a Bill relative to shellfishing permits for veterans (House, No. 4117).

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to increase safety on public ways (House, No. 1819).

By the same member, for the same committee, on a petition, a Bill relative to motorcycle inspections (House, No. 1831).

By the same member, for the same committee, on a petition, a Bill relative to train culverts in the town of Lynnfield (House, No. 1852) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill related to hayrides (House, No. 4105).

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

Packaging waste.

Waste and recycling.

Watershed permitting.

Fishing,— permit bank.

Drivers,— special identification.

License plates.

Highways,— recycling.

Aviation,— lands preservation.

Sustainable water resources,— funds.

Veterans,— shellfishing permits.

Towing,— public ways.

Motorcycles,— safety inspections.

Lynnfield,— train culverts.

Hayrides.

Orders of the Day.

House bills

Establishing the appointed office of town clerk in the town of Ayer (House, No. 4077);

Establishing the appointed office of tree warden in the town of Ayer (House, No. 4078); and

Relative to the funding of the Other Post-Employment Benefits Liability Trust Fund in the Town of Northbridge (House, No. 4084);

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.

Third reading bills.

The House Bill establishing a revolving fund for a school learning lab within a vocational-technical program operated by public schools in the town of Westborough (House, No. 3992) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Westborough,—
fund.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1 by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the school committee of the town of Westborough not later than December 31 and the school committee shall vote to accept the report.”

The amendment was adopted; and the bill (House, No. 3992, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a special fund in the town of Westborough (House, No. 4028), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Id.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 3 by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the board of selectmen of the town of Westborough not later than December 31 and the board of selectmen shall vote to accept the report.”

The amendment was adopted; and the bill (House, No. 4028, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At sixteen 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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, FEBRUARY 5, 2018.

[14]

JOURNAL OF THE HOUSE.

Monday, February 5, 2018.

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.

Communication.

The sixth annual report of the Massachusetts Gaming Commission (under Section 70 of Chapter 23K of the General Laws) submitting a complete and detailed report of the commission's activities, was placed on file.

Gaming
Commission.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Rogers of Norwood and Senator Rush, a joint petition (accompanied by bill, House, No. 4185) of John H. Rogers and Michael F. Rush (by vote of the town) that the town of Norwood be authorized to grant up to five additional licenses for the sale of alcoholic beverages to be drunk on the premises in said town. To the committee on Consumer Protection and Professional Licensure.

Norwood,—
liquor
licenses.

By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 4186) of Linda Dean Campbell and Andres X. Vargas (with the approval of the mayor and city council) that Brian M. Belfiore be authorized to take the civil service examination for the position of firefighter in the city of Haverhill, notwithstanding the maximum age requirement. To the committee on Public Service.

Haverhill,—
Brian
Belfiore.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Balser of Newton, a petition (subject to Joint Rule 12) of Ruth B. Balser, Cynthia Stone Creem and Rabbi Rachmiel Liberman relative to the revocation of kosher certification.

Kosher
certification.

By Mrs. Campbell of Methuen, a petition (subject to Joint Rule 12) of Linda Dean Campbell and others relative to the reserve power systems of publicly owned treatment works.

Treatment
works,—
reserve power.

By Mr. Gordon of Bedford, a petition (subject to Joint Rule 12) of Kenneth I. Gordon and others relative to investigations of sexual harassment and discrimination.

Sexual
harassment,—
investigations.

By Mr. Madaro of Boston, a petition (subject to Joint Rule 12) of Adrian Madaro and Joseph A. Boncore relative to ambulance service at Logan International Airport.

Logan
Airport,—
ambulances.

By Mr. McGonagle of Everett, a petition (subject to Joint Rule 12) of Joseph

Home inspectors,—
energy audits.

UNCORRECTED PROOF.

W. McGonagle, Jr., relative to home energy audits and labeling by home inspectors.

By Mr. Williams of Springfield, a petition (subject to Joint Rule 12) of Bud Williams relative to the inspection of certain piping during home inspections and home energy audits.

Home energy
audits,—
piping.

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

Papers from the Senate.

The House Bill making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4160, amended), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2280, and striking out the emergency preamble. The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Supplemental
appropriations.

A Bill relative to the used vehicle record book (Senate, No. 2269) (on Senate bill No. 1982), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Used vehicle
record book.

A Bill establishing a special fund for recaptured funds from demolition liens or related grants in the town of Fairhaven (Senate, No. 2156) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Fairhaven,—
fund.

A message from His Excellency the Governor (pursuant to Article II, Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the charter of the town of Abington (Senate, No. 2278), was referred, in concurrence, to the committee on Municipalities and Regional Government.

Abington,—
charter.

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 David M. Rogers, Mike Connolly and others relative to the use of state resources to assist investigations or prosecutions, under federal law, of individuals for activities relative to the use and distribution of marijuana and medical marijuana. To the committee on Marijuana Policy.

Marijuana,—
federal
investigations.

Petition (accompanied by bill) of David M. Rogers, Andres X. Vargas and others for legislation to provide for net neutrality and consumer protection. To the committee on Telecommunications, Utilities and Energy.

Net
neutrality.

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

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 7A be suspended on the petition of Shawn Dooley for legislation to direct the Norfolk

Suzanne
Fiske,—
benefits.

UNCORRECTED PROOF.

County retirement board to provide certain benefits to Suzanne E. Fiske, the widow of David B. Fiske, an employee of the town of Plainville. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill to allow municipalities to invest in credit unions (House, No. 1123),— and recommending that the same be referred to the committee on Financial Services. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Municipalities,—
credit unions.

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

Supporting our natural landmarks (House, No. 1117);
Relative to motorcycle inspections (House, No. 1831);
Relative to the train culverts in the town of Lynnfield (House, No. 1852) [Local Approval Received];
Related to hayrides (House, No. 4105); and
Relative to shellfishing permits for veterans (House, No. 4117);
Under suspension of Rule 7A, in each instance, on motion of Mr. Walsh of Peabody, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Landmarks.
Motorcycles.
Lynnfield,—
culverts.
Hayrides.
Shellfishing.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on a petition, a Bill relative to addiction training (House, No. 2400).

Addiction
training.

By the same member, for the same committee, on a petition, a Bill to protect children's mental health services (House, No. 2403).

Mental health
services.

By the same member, for the same committee, on a petition, a Bill to require equitable payment from the Commonwealth (House, No. 2407).

Equitable
payment.

By the same member, for the same committee, on a petition, a Bill relative to providing appropriate medical care for persons in mental health facilities (House, No. 3208).

Mental health
facilities.

By the same member, for the same committee, on a petition, a Bill relative to improving mental health care through innovation (House, No. 3595).

Mental illness,—
treatment program.

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

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill relative to charitable gaming (House, No. 2836, changed in section 3, in line 6, by striking out the year “2014” and inserting in place thereof the year “2016”).

Charitable
gaming.

By the same member, for the same committee, on House No. 2009, a Bill relative to transit (House, No. 4171).

MOBD,—
transit.

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

By Mr. Wagner of Chicopee, for the committee on Economic Development and

Rail-trail

UNCORRECTED PROOF.

Emerging Technologies, on a petition, a Bill relative to rail-trail construction (House, No. 2831, changed in section 1, in line 3, by striking out the word “organization” and inserting in place thereof the word “organizations”).

construction.

By the same member, for the same committee, on House, No. 2003, a Bill relative to the STEM advisory council (House, No. 4170).

STEM
advisory.

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

Engrossed Bill.

The engrossed Bill abolishing the board of license commissioners in the town of Salisbury (see House, No. 4029) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill establishing the appointed position of treasurer-collector in the town of Ayer (House, No. 4079), 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. Sent to the Senate for concurrence.

Third
reading
bill.

The Senate Bill authorizing the Berkshire County Regional Housing Authority to convey a certain parcel of land in the town of Sheffield to the Great Barrington Housing Authority (Senate, No. 2102), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Sheffield,—
land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 1 to 10, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“SECTION 1. (a) Notwithstanding chapter 121B of the General Laws and subject to approval by the department of housing and community development, the Berkshire county regional housing authority may convey a certain parcel of land, currently used for low income housing subject to said chapter 121B, with the buildings thereon, identified by the department of housing and community development as project reference numbers 705-2 and 667-2, located in the town of Sheffield to the Great Barrington housing authority for no consideration. The parcel is described in a deed recorded in the Southern Berkshire registry of deeds in book 660, page 186. The buildings shall remain subject to said chapter 121B and the property shall be used to provide additional housing for low-income families and elderly persons of low income, in accordance with said chapter 121B and the regulations of the department of housing and community development.”

The amendment was adopted; and the bill (Senate, No. 2102, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

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

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, FEBRUARY 6, 2018.

[15]

JOURNAL OF THE HOUSE.

Tuesday, February 6, 2018.

Met at twenty minutes after 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.

A message from His Excellency the Governor recommending legislation (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the issuance of tax bills in the town of Hatfield (House, No. 4198), was filed in the office of the Clerk on Monday, February 5.

Hatfield,—
tax bills.

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

Orders.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current House documents numbered 1973 and 3465.

Consumer
Protection and
Professional
Licensure
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4188), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current Senate documents numbered 107 and 108.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4189), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint

Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current Senate document numbered 96, and House document numbered 143.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4190), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current House document numbered 4068.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4191) ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current Senate documents numbered 128 and 153, and House document numbered 130.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4192), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current Senate document numbered 146, and House documents numbered 175 and 1976.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4193), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Chan of Quincy) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Monday, April 9, 2018 within which time to make its final report on current House document numbered 1992.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4194), ought to be adopted. Under suspension of the rules, on motion

of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Pignatelli of Lenox) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Saturday, March 10, 2018 within which time to make its final report on current Senate document numbered 448, and House documents numbered 2777, 2932 and 2935.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4177), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Environment,
Natural Resources
and Agriculture
committee,—
extension
of time for
reporting.

The following order (filed by Mr. Cronin of Easton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Wednesday, March 21, 2018 within which time to make its final report on current House documents numbered 47, 707, 795, 869, 873, 933, 948, 980, 2263, 2274, 2277, 2307, 2330, 2348, 2354, 3027, 3083, 3093, 3584, 3655, 3729, 3835, 3904, 3928 and 4142.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4175), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Judiciary
committee,—
extension
of time for
reporting.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Wednesday, May 9, 2018 within which time to make its final report on current Senate document numbered 1048, and House documents numbered 2172 and 3134.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4179), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Labor and
Workforce
Development
committee,—
extension
of time for
reporting.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Wednesday, May 9, 2018 within which time to make its final report on current Senate documents numbered 1004 and 1040, and House documents numbered 1015, 1021, 2365, 3152 and 3154.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4180), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Id.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee

Id.

on Labor and Workforce Development be granted until Wednesday, March 7, 2018 within which time to make its final report on current Senate documents numbered 840, 988, 1017 and 1020, and House documents numbered 43, 854, 2366 and 2371.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4181), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Wednesday, March 7, 2018 within which time to make its final report on current House documents numbered 1007 and 1023.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4182), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Wednesday, March 7, 2018 within which time to make its final report on current Senate documents numbered 997 and 999, and House document numbered 1033.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4183), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Tuesday, April 3, 2018 within which time to make its final report on current House document numbered 4058.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4184), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Garlick of Needham) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Mental Health, Substance Use and Recovery be granted until Tuesday, March 20, 2018 within which time to make its final report on current Senate documents numbered 1081, 1085, 1092, 1095, 1096, 1098, 1099, 1100, 1101, 1103, 1108, 1111, 1112, 1113, 1114 and 1115, and House documents numbered 1060, 1061, 1062, 1064, 1065, 1066, 1068, 1075, 2391, 2392, 2394, 2395, 2396, 2397, 2402, 2404, 2408, 2412, 3205, 3206, 3207, 3508, 3511, 3593, 3594 and 4033.

Mental Health, Substance Use and Recovery committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order

(House, No. 4173), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. O'Day of West Boylston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Wednesday, March 7, 2018 within which time to make its final report on current House document numbered 2420.

Municipalities and Regional Government committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4174), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Parisella of Beverly) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Thursday, May 31, 2018 within which time to make its final report on current Senate documents numbered 1490, 1491 and 2074, and House documents numbered 29, 3281 and 3301.

Public Service committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4172), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoisett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, March 2, 2018 within which time to make its final report on current Senate documents numbered 1905, 1938, 1945, 1953, 1961, 1966, 2002 and 2006, and House documents numbered 1813, 1822, 1829, 1897, 2742, 2877, 3417 and 3422.

Transportation committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4176), ought to be adopted. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Special Report.

A report of the special legislative commission (under Section 134 of Chapter 47 of the Acts of 2017) relative to studying the feasibility, administration, and economic impact of a battery testing facility, located in one of the four western counties of the Commonwealth, was placed on file.

Battery testing facility,—study.

Petitions.

Mr. Naughton of Clinton presented a petition (accompanied by bill, House, No. 4197) of Harold P. Naughton, Jr., and Harriette L. Chandler (by vote of the town)

Boylston,—land.

that the town of Boylston be authorized to convey a certain parcel of land in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Mr. Murphy of Weymouth presented a petition (subject to Joint Rule 12) of James M. Murphy for legislation to establish a sick leave bank for Alyssa Nelson, an employee of the Office for Victim Assistance; and the same was referred, under Rule 24, to the committee on Rules.

Alyssa
Nelson,—
sick leave.

Papers from the Senate.

Senate bills

Authorizing the board of selectmen of Hardwick to appoint the town collector (Senate, No. 2114) (on a petition) [Local Approval Received]; and

Hardwick,—
collector.

Authorizing the board of selectmen of Hardwick to appoint the town treasurer (Senate, No. 2115) (on a petition) [Local Approval Received];

Hardwick,—
treasurer.

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. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Regarding municipal fines (House, No. 1116); and

Municipal fines.
Sustainable
water,— funds.

Providing for the establishment of sustainable water resource funds (House, No. 2116);

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the governance of the Health Policy Commission (House, No. 1681). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Health Policy
Commission.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the use of Department of Conservation and Recreation property for farmers markets and community gardens (House, No. 2937).

Farmers markets
and gardens.

By the same member, for the same committee, on a petition, a Bill protecting the viability of farms in the Commonwealth (House, No. 2939).

Farms,—
viability.

By the same member, for the same committee, on a petition, a Bill relative to buffer zones on land under the agricultural restriction program (House, No. 2940).

Conservation
land,— buffers.

By the same member, for the same committee, on a petition, a Bill to promote healthy soils (House, No. 3713).

Healthy
soils.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to protecting municipalities from unfunded mandates (House, No. 1949).

Unfunded
mandates.

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

Means.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 2835, a Bill relative to the international trade commission (House, No. 4195).

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to municipal deposits (House, No. 1081).

By the same member, for the same committee, on a petition, a Bill to ensure adequate handicapped parking (House, No. 1087).

By the same member, for the same committee, on a petition, a Bill to establish commonsense permitting reforms for businesses and landowners (House, No. 1090).

By the same member, for the same committee, on a petition, a Bill relative to variances (House, No. 1093).

By the same member, for the same committee, on a petition, a Bill relative to a certain conservation restriction in the town of Webster (House, No. 4103) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Chelmsford relative to ministerial and grammatical non-substantive changes (House, No. 4124) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Shutesbury to convey certain land (House, No. 4125) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill regarding the appointment of retired Cambridge Police Department officers as special police officers within the city of Cambridge for paid detail assignments (House, No. 4143) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to representation on the board of trustees for soldiers' memorials in the town of Orange (House, No. 4145) [Local Approval Received].

By the same member, for the same committee, on House, No. 3512, a Bill supporting affordable housing with a local option for a fee to be applied to certain real estate transactions (House, No. 4196).

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

International trade commission.

Municipal deposits.

Handicapped parking.

Businesses,— permit reforms.

Variances.

Webster,— conservation restriction.

Chelmsford,— town charter.

Shutesbury,— land.

Cambridge,— special police officers.

Orange,— soldiers' memorials.

Real estate fee,— local option.

Orders of the Day.

House bills

Designating a certain bridge in the city of Chelsea as the John P. Bruttaniti memorial bridge (House, No. 4072); and

Establishing a sick leave bank for Joseph Loughman, an employee of the Trial Court (House, No. 4141) (its title having been changed by the committee on Bills in the Third Reading);

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

Third reading bills.

UNCORRECTED PROOF.

The House Bill establishing a sick leave bank for Deirdre Dacey, an employee of the Parole Board (House, No. 4059), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Deirdre
Dacey,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the parole board, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 4059, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven minutes before twelve o'clock noon, on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, FEBRUARY 7, 2018.

[16]

JOURNAL OF THE HOUSE.

Wednesday, February 7, 2018.

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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Chan of Quincy and other members of the House) recognizing the XXIII Winter Olympic Games in the Republic of Korea, were referred, under Rule 85, to the committee on Rules.

Winter
Olympic
Games.

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

Orders.

The following order (filed by Ms. Khan of Newton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Children, Families and Persons with Disabilities be granted until Monday, July 2, 2018 within which time to make its final report on current Senate documents numbered 45 and 61 and House documents numbered 77, 87, 104, 107, 783, 1955 and 3042.

Children,
Families and
Persons with
Disabilities
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4178), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend it by striking out the date "Monday, July 2" and inserting in place thereof the date "Wednesday, May 9". The amendment was adopted.

The order (House, No. 4178, amended) then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Coppinger of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Community Development and Small Businesses be granted until Tuesday, March 6, 2018 within which time to make its final report on current Senate document numbered 88 and House documents numbered 1970 and 3543.

Community
Development and
Small Businesses
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order

UNCORRECTED PROOF.

(House, No. 4199), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Wednesday, February 14, 2018 within which time to make its final report on current Senate documents numbered 215, 244, 248, 278 and 307 and House documents numbered 222, 237, 280, 306, 315, 2016, 2022, 2039, 2043, 2855 and 3556.

Education committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4201), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Thursday, February 8, 2018 within which time to make its final report on current Senate documents numbered 279, 291 and 323 and House documents numbered 304 and 2027.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4202), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Hogan of Stow) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Saturday, June 30, 2018 within which time to make its final report on current House documents numbered 1126, 1131, 1133, 1134, 1139, 1142, 1143, 1146, 1147, 1151, 1155, 1161, 1177, 1185, 1186, 1189, 1194, 1195, 1199, 1201, 1203, 1205, 1207, 1213, 1216, 1222, 1226, 1229, 1245, 1959, 2429, 2434, 2435, 2436, 2442, 2445, 2446, 2453, 2454, 2456, 2458, 2459, 2460, 2461, 2462, 2469, 2470, 2471, 2472, 2473, 2474, 2478, 2480, 2820, 2858, 3226, 3232, 3235, 3238, 3240, 3241, 3244, 3246, 3250, 3251, 3252, 3514, 3597, 3598, 3606 and 3933.

Public Health committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4187), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend the it by striking out the date “Saturday, June 30” and inserting in place thereof the date “Wednesday, May 9”. The amendment was adopted.

The order (House, No. 4187, amended) then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Benson of Lunenburg) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Tuesday, July

State
Administration

31, 2018 within which time to make its final report on current Senate documents numbered 1686, 1704, 1729 and 1732 and House documents numbered 1666, 1689, 1690, 1718, 2662, 2672, 3377, 3628, 3632, 3814 and 4093.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4200), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend the it by striking out the date “Tuesday, July 31” and inserting in place thereof the date “Wednesday, May 9”. The amendment was adopted.

The order (House, No. 4200, amended) then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Wednesday, February 14, 2018 within which time to make its final report on current Senate documents numbered 1853 and 1877.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4203), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, March 9, 2018 within which time to make its final report on current Senate documents numbered 1824, 1831, 1841, 1871, 1876 and 1885 and House documents numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634 and 3742.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4204), ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

From MassDevelopment (see Section 42(e) of Chapter 23G of the General Laws) submitting the Massachusetts Cultural Facilities Fund annual report for the fiscal year 2017;

From MassDevelopment (see Section 46(m) of Chapter 23G of the General Laws) submitting the annual report of the Transformative Development Fund Collaborative Workspace Program [copies of said report were forwarded to the committees on Economic Development and Emerging Technologies and Labor and Workforce Development]; and

From the Springfield Parking Authority (see Section 15 of Chapter 674 of the Acts of 1981) submitting audit reports for the fiscal years 2016 and 2017;

Severally were placed on file.

and Regulatory Oversight committee,— extension of time for reporting.

Telecommunications, Utilities and Energy committee,— extension of time for reporting.

Id.

Cultural facilities.

Transformative Development Fund,— Collaborative Workspace.

Springfield Parking Authority.

Special Reports.

The semi-annual report of the Insurance Fraud Bureau (under Section 1(k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) containing a spending and management plan for said office;

Insurance
Fraud
Bureau.

A report of the Department of Transitional Assistance (under Section 2(p) of Chapter 18 of the General Laws) detailing the number of cases referred to the department's Program Integrity Division [copies of said report forwarded to the committee on Ways and Means and the committee on Children, Families and Persons with Disabilities, as required by said law];

DTA,—
Program
Integrity
Division.

Annual reports

Of the Advanced Manufacturing Futures Program (under Section 45 of Chapter 23G of the General Laws) submitting its sixth annual report including a current assessment of the progress of each program funded through the manufacturing grant program and the progress of the advanced manufacturing collaborative activity [copies were forwarded to the committee on Ways and Means and the committees on Economic Development and Emerging Technologies and Labor and Workforce Development, as required by said law];

Advanced
manufacturing.

Of MassDevelopment (under Section 29A(k) of Chapter 23G of the General Laws) submitting the Brownfields Redevelopment Fund annual report for fiscal year 2017 [copies of said report were forwarded to the Speaker of the House and the committee on Ways and Means, as required by said law]; and

Brownfields
Redevelopment
Fund.

Of the Office of the Child Advocate (under Section 10 of Chapter 18C of the General Laws) relative to the accomplishments and activities of said office for fiscal year 2017;

Office of the
Child Advocate.

Severally were placed on file.

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:

Joint petition (accompanied by bill) of Patricia A. Haddad and Marc R. Pacheco for legislation to authorize the county commissioners of Bristol County to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at Bristol County Agricultural High School in the town of Dighton. To the committee on Municipalities and Regional Government.

Dighton,—
Bristol County
Agricultural High
School.

Petition (accompanied by bill) of Linda Dean Campbell and others relative to the reserve power systems of publicly owned treatment works. To the committee on Telecommunications, Utilities and Energy.

Treatment
works,—
reserve power.

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. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Authorizing the board of selectmen of Hardwick to appoint the town collector

Hardwick,—

UNCORRECTED PROOF.

(Senate, No. 2114) [Local Approval Received];	collector.
Authorizing the board of selectmen of Hardwick to appoint the town treasurer	Hardwick,—
(Senate, No. 2115) [Local Approval Received];	treasurer.
Authorizing the Brookfield Housing Authority to convey a certain parcel of	Brookfield,—
land and the buildings thereon (Senate, No. 2146);	land.
Authorizing the city of Easthampton to lease certain real estate (Senate, No.	Fairhaven,—
2152) [Local Approval Received]; and	real estate.
Establishing a special fund for recaptured funds from demolition liens or	Fairhaven,—
related grants in the town of Fairhaven (Senate, No. 2156) [Local Approval	fund.
Received]; and	
House bills	
Increasing the maximum age to be eligible for appointment as a special police	Somerville,—
officer in the city of Somerville (House, No. 4085) [Local Approval Received];	special police.
Relative to a certain conservation restriction in the town of Webster (House,	Webster,—
No. 4103) [Local Approval Received];	land.
Releasing a restriction on certain property in the town of Webster (House, No.	Id.
4122) [Local Approval Received];	
Amending the charter of the town of Chelmsford relative to ministerial and	Chelmsford,—
grammatical non-substantive changes (House, No. 4124) [Local Approval	charter.
Received];	
Authorizing the town of Shutesbury to convey certain land (House, No. 4125)	Shutesbury,—
[Local Approval Received];	land.
Regarding the appointment of retired Cambridge Police Department officers as	Cambridge,—
special police officers within the city of Cambridge for paid detail assignments	special police.
(House, No. 4143) [Local Approval Received];	
Relative to representation on the board of trustees for soldiers' memorials in	Orange,—
the town of Orange (House, No. 4145) [Local Approval Received]; and	memorials.
Relative to the STEM advisory council (House, No. 4170);	STEM council.
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. Kocot of Northampton, for the committee on Health Care Financing,	Tobacco,—
that the Bill to protect youth from the health risks of tobacco and nicotine addiction	youth.
(House, No. 4109), ought to pass [Cost: Greater than \$100,000.00]. Read; and	
referred, under Rule 33, to the committee on Ways and Means.	
By Mr. Kocot of Northampton, for the committee on Health Care Financing,	Life
that the Bill relative to principle-based reserving for life insurance (House, No.	insurance,—
2969), ought to pass. Read; and referred, under Rule 7A, to the committee on	reserves.
Steering, Policy and Scheduling.	
By Ms. Garlick of Needham, for the committee on Mental Health, Substance	Mental health,—
Use and Recovery, on a petition, a Bill to provide more timely treatment of inpatient	inpatient care.
mental health care (House, No. 1071).	
By the same member, for the same committee, on a petition, a Bill to promote	MassHealth,—
accessibility and affordability of behavioral health and substance abuse services for	services.
recipients of MassHealth (House, No. 2405, changed in section 1, in line 14, by	
striking out the year “2017” and inserting in place thereof the year “2019”; and in	
section 2, in line 18, by striking out the date “October 1, 2016” and inserting in	
place thereof the words “upon its passage”).	

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill relative to psychotropic medication (House, No. 3204, changed in line 13 by striking out the following: “3 consecutive calendar days” and inserting in place thereof the words “seventy-two hours”).

Psychotropic medication.

By Mr. Stanley of Waltham, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to methadone clinic zoning (House, No. 3214).

Methadone clinics.

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill to eliminate unnecessary laws (House, No. 1680). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Unnecessary laws,—
elimination.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4147).

Bonding,—
terms.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the health and safety on public construction projects (House, No. 1649).

Public construction,—
health and safety.

By the same member, for the same committee, on a petition, a Bill relative to Commonwealth building projects (House, No. 1670).

Building projects.

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Food Policy Council (House, No. 1712).

Food policy council.

By the same member, for the same committee, on a petition, a Bill relative to the fair participation of minority and women-owned businesses on public construction projects (House, No. 3371).

Minorities and women,—
construction.

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating the month of October as adopt a shelter dog month (House, No. 1653).

Shelter dog month.

By the same member, for the same committee, on a petition, a Bill protecting information relating to the religious affiliation of an individual (House, No. 3369).

Religious affiliation.

By the same member, for the same committee, on a petition, a Bill relative to landscape sprinkler systems (House, No. 3379).

Sprinkler systems.

By the same member, for the same committee, on a petition, a Bill authorizing the merger of the Salvation Army of Massachusetts, Inc. into the Salvation Army, a New York Corporation (House, No. 3691).

Salvation Army,—
merger.

By the same member, for the same committee, on House, No. 3374, a Bill to exempt the deliberation of public bodies at town meeting from the open meeting law (House, No. 4206).

Open meeting law.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating Concord Road in the town of Westford as the Colonel John Robinson memorial highway (House, No. 2718).

Westford,—
Robinson highway.

By the same member, for the same committee, on a joint petition, a Bill designating certain bridges in the city known as the town of Barnstable as the first responders appreciation overpasses (House, No. 4152).

Barnstable,—
first responders overpasses.

UNCORRECTED PROOF.

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

Engrossed Bill.

The engrossed Bill increasing the exemption for residential property in the town of Provincetown (see House, No. 3860, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill establishing a sick leave bank for Mary Goddard, an employee of the Department of Correction (House, No. 3868), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Mary
Goddard,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 3 by striking out the words “to Mary Goddard”; by striking out the last sentence; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 3868, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-four minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at two minutes before two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

The following order (filed by Mr. Wagner of Chicopee) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Friday, April 13, 2018 within which time to make its final report on current Senate documents numbered 175, 179, 182, 185, 2053 and 2062 and House documents numbered 2834, 3770 and 4083.

Economic
Development
and Emerging
Technologies
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4205), ought to be adopted. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until March 21, 2018, within which time to make its final report on current Senate documents numbered 1177, 756, 778, 787, 806, 822, 825, 885, 962 and 969, relative to Senate bills before the Joint Committee on the Judiciary.

Judiciary committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order (Senate, No. 2287) was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until March 7, 2018, within which time to make its final report on current Senate document numbered 81, relative to housing and sustainable development.

Municipalities
and Regional
Government
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order (Senate, No. 2288) was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until March 7, 2018, within which time to make its final report on current Senate documents numbered 142, 1165, 1166, 1169, 1175, 1225, 1237, 1238, and 1245, relative to public health.

Public Health
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order (Senate, No. 2291) was considered forthwith; and it was adopted, in concurrence.

Recess.

At five minutes after two o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at one minute after four o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Orders.

The following order (filed by Miss Gregoire of Marlborough) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee

Elder Affairs

on Elder Affairs be granted until Friday, June 15, 2018 within which time to make its final report on current Senate documents numbered 336, 345, 347, 349, 350, 352, 354, 355, 358 and 363 and House documents numbered 336, 339, 347, 350, 2072, 2076, 2078, 2885, 2890 and 2891.

committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4207), ought to be adopted. Under suspension of the rules, on motion of Miss Gregoire, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend it by striking out the date “ Friday, June 15” and inserting in place thereof the date “Wednesday, May 9”. The amendment was adopted.

The order (House, No. 4207, amended) then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Wednesday, May 9, 2018 within which time to make its final report on current Senate documents numbered 528, 545, 553, 587 and 599 and House documents numbered 34, 35, 482, 494, 509, 535, 546, 2159, 2947, 2965, 2966, 3644 and 4137.

Financial
Services
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4208), ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Naughton of Clinton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Sunday, April 15, 2018 within which time to make its final report on current House documents numbered 629, 1249, 2492, 3264 and 3610.

Public Safety
and Homeland
Security
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4209), ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Public Safety and Homeland Security be granted until April 15, 2018, within which time to make its final report on current Senate documents numbered 1280, 1283, 1329, 1331, and 1361, relative to public safety in the Commonwealth.

Public Safety
and Homeland
Security
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order (Senate, No. 2290) was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the

two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until April 15, 2018, within which time to make its final report on current House documents numbered 2743 and 3428, relative to transportation.

Transportation
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order (Senate, No. 2293) was considered forthwith; and it was adopted, in concurrence.

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 petition of James M. Murphy for legislation to establish a sick leave bank for Alyssa Nelson, an employee of the Office for Victim Assistance. 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 Public Service. Sent to the Senate for concurrence.

Alyssa
Nelson,—
sick leave.

Recess.

At six minutes after four o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-three minutes after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven minutes after five o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 8, 2018.

[17]

JOURNAL OF THE HOUSE.

Thursday, February 8, 2018.

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.

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) congratulating Sandra Albano on her retirement;

Sandra
Albano.

Resolutions (filed by Mr. Fernandes of Falmouth) congratulating Mary Hill Tucker on the occasion of her one hundredth birthday;

Mary
Tucker.

Resolutions (filed by Mr. Lewis of Framingham) commending WACA-TV on its recognition of October 20, 2017 as Community Media Day;

Community
media day.

Resolutions (filed by Messrs. Linky of Natick and Crocker of Barnstable) recognizing March 2, 2018 as National Speech and Debate Education Day;

Speech and
Debate Day.

Resolutions (filed by Mr. Roy of Franklin) congratulating Salvator Victor Balkus on receiving the Eagle Award of the Boy Scouts of America;

Salvator
Balkus.

Resolutions (filed by Mr. Roy of Franklin) congratulating Daniel Joseph Hickey on receiving the Eagle Award of the Boy Scouts of America;

Daniel
Hickey.

Resolutions (filed by Mr. Roy of Franklin) congratulating Samuel Edward Molloy on receiving the Eagle Award of the Boy Scouts of America;

Samuel
Molloy.

Resolutions (filed by Mr. Roy of Franklin) congratulating Seamus William Reardon on receiving the Eagle Award of the Boy Scouts of America;

Seamus
Reardon.

Resolutions (filed by Mr. Roy of Franklin) congratulating Daniel Blaise Schratz on receiving the Eagle Award of the Boy Scouts of America; and

Daniel
Schratz.

Resolutions (filed by Mr. Tucker of Salem) recognizing Doctor Henry Mejia Oviedo's visit to the Commonwealth in celebration of Dominican Independence Day;

Henry
Oviedo.

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

Communications.

Communications

From the Catastrophic Illness in Children Fund Commission (see Section 11 of

Catastrophic illness
fund commission.

Chapter 111K of the General Laws) submitting its annual report for fiscal year 2016;

From the Department of Youth Services (see Section 22 of Chapter 120 of the General Laws) submitting its annual report for calendar year 2016; and

From the Massachusetts District Attorneys Association (see item 0340-2100 of Chapter 47 of the Acts of 2017) submitting the annual report on the prosecution statistics of the district attorneys relative to their criminal prosecutions and workloads for calendar year 2017;

From the Massachusetts Life Sciences Center (under Section 15 of Chapter 231 of the General Laws) submitting the 2017 annual report and audit [copies of said report were forwarded to the committees on Ways and Means and Economic Development and Emerging Technologies, as required by said law];

From the Massachusetts Trial Court Office of Community Corrections (see Section 5 of Chapter 211F of the General Laws) submitting a report of the utilization of community corrections centers for fiscal year 2017; and

From the Plymouth County Registry of Deeds (under Section 2KKK of Chapter 29 of the General Laws) submitting an initial plan for technological improvements at said registry [copies of said communication referred to the committees on Ways and Means and Post Audit and Oversight, as required by said law];

Severally were placed on file.

Transformative development.

Massachusetts District Attorneys Association.

Life Sciences Center.

Community corrections.

Plymouth County Registry of Deeds.

Annual Report.

The annual report of the Department of Public Utilities (under Section 2 of Chapter 25 of the General Laws) for the calendar year 2017, was placed on file.

Department of Public Utilities.

Papers from the Senate.

A report of the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1821) of Michael J. Barrett, Frank I. Smizik, Carmine L. Gentile, Patricia D. Jehlen and other members of the General Court for legislation to combat climate change,— and recommending the same be referred to the Senate committee on Global Warming and Climate Change,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as relates to the discharge of the committee.

Climate change.

A report of the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1903) of Michael D. Brady, Michelle M. DuBois, Viriato M. deMacedo, Elizabeth A. Poirier and other members of the General Court for legislation to enhance child passenger safety,— and recommending the same be referred to the committee on Public Safety and Homeland Security,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Children,— passenger safety.

A petition (accompanied by bill, Senate, No. 2294) of Patricia D. Jehlen, Denise Provost, Christine P. Barber and Mike Connolly (with approval of the mayor and city council) for legislation relative to the membership of the licensing commission and board of election commissioners of the city of Somerville, was

Somerville,— commission membership.

referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committees.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill providing the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4147), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Bonding,—
terms.

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

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

Under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

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

Designating the month of October as adopt a shelter dog month (House, No. 1653);

Shelter dog
month.

Designating Concord Road in the town of Westford as the Colonel John Robinson memorial highway (House, No. 2718); and

Westford,—
highway.

Designating certain bridges in the city known as the town of Barnstable as the first responders appreciation overpasses (House, No. 4152);

Barnstable,—
bridges.

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to expanding access to high quality early education in Boston (House, No. 3759) [Local Approval Received]. Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Boston,—
early
education.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill to provide equal access to evaluations for children with disabilities (House, No. 2866).

Disabilities,—
evaluations.

By the same member, for the same committee, on a petition, a Bill relative to improving teacher preparation and certification (House, No. 2873).

Teachers,—
certification.

By the same member, for the same committee, on House Nos. 320, 2013, 2060, 2061, 2838, 2843, 2874 and 3551, a Bill ensuring high quality early education (House, No. 2874).

Early
education.

By the same member, for the same committee, on House, No. 2049, a Bill providing transportation to recovery high schools (House, No. 4224).

Recovery
high schools.

By the same member, for the same committee, on House, No. 2847, a Bill relative to testing requirements for veterans who wish to become educators (House, No. 4225).

Veterans,—
educator
testing.

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, Nos.

Estate
tax.

UNCORRECTED PROOF.

1509, 1523, 1595 and 1669 and House, Nos. 1510, 1580 and 3626, a Bill relative to the Massachusetts estate tax code (House, No. 4210).

By the same member, for the same committee, on Senate, No. 1520 and House, No. 3334, a Bill protecting the interests of housing cooperative shareholders (House, No. 4211).

Housing
cooperatives,—
shareholders.

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

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, No. 1559, a Bill authorizing cities and towns to increase the local tax rate on meals (House, No. 4212) [Representative Garry of Dracut dissenting].

Meals,—
local tax.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the town of Lee as the Louis J. Digrigoli bridge (House, No. 4156, changed in section 1, in line 2, and also in line 3, by striking out the words “Louis J. Digrigoli” and inserting in place thereof, in each instance, the words “Lou DiGrigoli”).

Lee,—
DiGrigoli
bridge.

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

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At seventeen 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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, FEBRUARY 12, 2018.

[18]

JOURNAL OF THE HOUSE.

Monday, February 12, 2018.

Met at six minutes after 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.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4231), was filed in the office of the Clerk on Thursday, February 8.

Supplemental
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Petitions.

Representative Kane of Shrewsbury and Senator Moore presented a joint petition (subject to Joint Rule 12) of Hannah Kane and Michael O. Moore (by vote of the town) for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land to the town of Shrewsbury; and the same was referred, under Rule 24, to the committee on Rules.

Shrewsbury,—
land.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Chan of Quincy, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Collins of Boston, a petition (subject to Joint Rule 12) of Nick Collins (with the approval of the mayor and city council) that the Economic Development and Industrial Corporation of the city of Boston be authorized to enter into a single energy management services contract to provide energy management services to all public and private properties, either owned or leased, within the Raymond L. Flynn Marine Park in said city.

Boston,—
energy
management.

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley relative to legalizing recreational fireworks for holders of firearms identification cards or licenses to carry.

Fireworks,—
licenses.

By Mr. Hay of Fitchburg, a petition (subject to Joint Rule 12) of Stephan Hay and others relative to the funding of and application to the Massachusetts School

School Building
Authority.

Building Authority.

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

Papers from the Senate.

Reports

Of the committee on Transportation, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1988) of Bruce E. Tarr for legislation to increase protection against drivers under the influence of drugs; and

Of the petition (accompanied by bill, Senate, No. 1992) of Bruce E. Tarr and Timothy R. Whelan for legislation to promote motor vehicle safety;

And recommending the same severally be referred to the committee on the Judiciary.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

A petition of Cynthia S. Creem and Kenneth I. Gordon for legislation to enhance investigations of sexual harassment and discrimination, 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. 2301) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Bill establishing the Massachusetts law revision commission (House, No. 1706),— 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.

Subsequently, Mr. Galvin of Canton, for said committee, reported that the foregoing Bill establishing the Massachusetts law revision commission (House, No. 1706), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth (House, No. 1707),— 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.

Subsequently, Mr. Galvin of Canton, for said committee, reported that the foregoing Resolve providing for the creation of a special commission relative to the seal and motto of the Commonwealth (House, No. 1707), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

A report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill,

Driving,—
drugs.

Motor vehicles,—
safety.

Harassment and
discrimination,—
investigations.

Law revision
commission.

State seal
and motto.

Consumers,—
credit reports.

UNCORRECTED PROOF.

House, No. 134) of Jennifer E. Benson and others relative to removing fees for security freezes and disclosures of consumer credit reports, was considered forthwith, under suspension of the rules, on motion of Mr. Chan of Quincy.

Under suspension of the rules, on motion of the same member, the report was considered forthwith.

Mr. Chan then moved that the report be amended by substitution of the Bill removing fees for security freezes and disclosures of consumer credit reports (House, No. 4229), which was read.

The amendment was adopted; and the substituted bill, was referred, under Rule 33, to the committee on Ways and Means.

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

Relative to authorizing governmental bodies and other approved parties to use shared legal representation and consultants in matters of common interest (House, No. 1111);

Shared
legal
services.

Protecting information relating to the religious affiliation of an individual (House, No. 3369);

Religious
affiliation.

Authorizing the merger of the Salvation Army of Massachusetts, Inc. into the Salvation Army, a New York corporation (House, No. 3691); and

Salvation Army,—
merger.

Designating a certain bridge in the town of Lee as the Louis J. DiGrigoli Bridge (House, No. 4156, changed);

Lee,—
DiGrigoli
bridge.

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

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 1954, 2432 and 3236, a Bill supporting individuals with intellectual and developmental disabilities (House, No. 1954). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Developmental
disabilities,—
training.

By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill providing for a study to be conducted on the cost feasibility of implementing a ferry service to Long Island in Boston Harbor (House, No. 1800). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Boston
Harbor,—
ferry service.

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, No. 1624, a Bill to promote conservation through oyster shell recycling (House, No. 4213).

Oyster
shells,—
recycling.

By the same member, for the same committee, on House, No. 1480, a Bill promoting student loan repayment (House, No. 4214).

Student loan
repayment.

By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill relative to providing improved access to taxicabs for persons with disabilities (House, No. 1791) [Representative Meschino of Hull dissenting].

Taxicabs,—
access.

By Mr. Straus of Mattapoissett, for the same committee, on a petition, a Bill requiring an actuarial study of the MBTA retirement fund (House, No. 1876).

MBTA,—
retirement fund.

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Bay Transportation Authority (House, No. 1901).

MBTA,—
retirement
benefits.

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

Means.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill relative to membership in an employee organization (House, No. 1003).

By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill relative to increasing the fines and penalties for texting and driving (House, No. 1792).

By the same member, for the same committee, on a petition, a Bill to clarify penalties for violations occurring while driving with a hardship license (House, No. 1860).

By the same member, for the same committee, on a petition, a Bill protecting motorists and emergency personnel (House, No. 1861).

By the same member, for the same committee, on a petition, a Bill relative to year of manufacture registration plates (House, No. 1872).

By the same member, for the same committee, on a petition, a Bill restoring accountability in claims against certain non-governmental actions for damage caused by public way defects (House, No. 2724).

By the same member, for the same committee, on House, No. 1834, a Bill to prevent jaywalking (House, No. 4226). [Representative Meschino of Hull dissenting].

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

Employee organizations.

Driving,—
texting
fines.

Hardship
licenses,—
violations.

Breakdown lane,—
fines.

Antique cars,—
plates.

Public ways,—
defects.

Jaywalking.

Emergency Measure.

The engrossed Bill providing the terms of certain bonds to be issued by the Commonwealth (see House bill printed in House, No. 4147), 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.

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 5 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 sent to the Senate.

Bonding,—
terms.

Bill
enacted.

Engrossed Bills.

Authorizing the Berkshire County Regional Housing Authority to convey a certain parcel of land in the town of Sheffield to the Great Barrington Housing Authority (see Senate, No. 2102, amended) (which originated in the Senate);

Relative to the retirement benefits of certain employees of the city of Chicopee (see House, No. 3942);

Providing for the purchase of the Milford Water Company by the town of Milford (see House, No. 3978); and

Relative to the dissolution of the Milford Water Company and the acquisition of its assets by the town of Milford (see House, No. 4055);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for

Bills
enacted.

UNCORRECTED PROOF.

final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Relative to the Massachusetts Port Authority community advisory committee (House, No. 4101); and

Establishing a sick leave bank for Jason Dobson, an employee of the Department of Correction (House, No. 4139);

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.

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At one minute after twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, FEBRUARY 14, 2018.

[19]

JOURNAL OF THE HOUSE.

Wednesday, February 14, 2018.

Met according to adjournment at eleven o'clock A.M., 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.

A message from His Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 4237), was filed in the office of the Clerk on Tuesday, February 13.

Municipal
roads and
bridges.

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

Statement Concerning Representative Kafka of Stoughton.

A statement of Mr. Rushing of Boston concerning Mr. Kafka of Stoughton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kafka of Stoughton, is unable to be present in the House Chamber for today's sitting due to family business outside of the country. His missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Mr. Kafka of
Stoughton.

Statement Concerning Representative Walsh of Framingham.

A statement of Mr. Moran of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, is unable to be present in the House Chamber for today's sitting because the current schedule of treatment that he is receiving at Dana Farber does not permit him to be present at this particular formal session. His missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Mr. Walsh of
Framingham.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, students from Brandeis University. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Kaufman of Lexington and other

Brandeis
University,—
students.

members of the House.

Communication.

A communication from the Ride for Hire Task Force established (see Section 7 of Chapter 187 of the Acts of 2016) to review current laws, regulations and local ordinances governing licensed hackneys, taxis, livery and transportation network companies [copies of said report forwarded, under said section, to the committees on Financial Services, Transportation, and Public Safety and Homeland Security], was placed on file.

Ride
for hire.

Petitions.

Ms. Malia of Boston presented a petition (accompanied by bill, House, No. 4238) of Elizabeth A. Malia (with the approval of the mayor and city council) relative to the redevelopment of the Amory Street public housing project in the Jamaica Plain section of the city of Boston; and the same was referred to the committee on Housing. Sent to the Senate for concurrence.

Boston,—
affordable
housing.

Petitions severally were presented and referred as follows:

By Mr. Collins of Boston, a petition (subject to Joint Rule 12) of Nick Collins for legislation to establish a sick leave bank for Essie Page, an employee of the Parole Board.

Essie Page,—
sick leave.

By Ms. Malia of Boston, a petition (subject to Joint Rule 12) of Elizabeth A. Malia for legislation to establish a sick leave bank for Delia Swaray, an employee of the Department of Children and Families.

Delia
Swaray,—
sick leave.

By Representative McKenna of Webster and Senator Fattman, a joint petition (subject to Joint Rule 12) of Joseph D. McKenna and Ryan C. Fattman for legislation to establish a sick leave bank for Elliot Brown, an employee of the Department of Public Health.

Elliot
Brown,—
sick leave.

By Mr. Walsh of Peabody (by request), a petition (subject to Joint Rule 12) of Giovanni Alabiso relative to smoking near public monuments and memorials.

Smoking,—
monuments.

By Mr. Whelan of Brewster, a petition (subject to Joint Rule 12) of Timothy R. Whelan and William L. Crocker, Jr., relative to licensing of liquor retailers.

Liquor retailers,—
licensing.

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

Papers from the Senate.

A Bill designating February 14 as Frederick Douglass Day (Senate, No. 1740, amended by striking out all after the enacting clause and inserting in place the following:

Frederick
Douglass
day.

“SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 15FFFFFF the following section:—

Section 15GGGGGG. The governor shall annually issue a proclamation setting apart February 14 as Frederick Douglass Day, in recognition of the outstanding contributions of Frederick Douglass to the abolitionist movement and his lifelong fight for equality in the city of New Bedford, the commonwealth and throughout the United States, and recommend that the day be observed in an appropriate manner by the people.”; by inserting before the enacting clause the following emergency preamble:

UNCORRECTED PROOF.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to recognize the outstanding contributions of Frederick Douglass, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and by striking out the title and inserting in place thereof the new title) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Of the Bill improving real property tax abatements, application deadlines, and deferrals (Senate, No. 2135);

Of the Bill establishing a permanent commission on the social status of Black [sic] men and boys (House, No. 120);

Of the Resolve providing for an investigation and study by a special commission relative to consumer protections with regard to cemeteries and crematories (House, No. 170);

Of the Resolve providing for an investigation and study by a special commission relative to the need for accessible homes for the elderly, returning veterans with disabilities, and families that include persons with disabilities (House, No. 667);

Of the Bill creating a task force to study the use of the internet by sex offenders (House, No. 1273);

Of the Bill relative to the position of poet laureate for the Commonwealth of Massachusetts (House, No. 1784);

Of the Bill establishing a special commission to identify, preserve and commemorate historic roadways in Massachusetts (House, No. 1890);

Of the Bill to require producer responsibility for collection, reuse and recycling of discarded electronic products (House, No. 2148);

Of the Bill relative to conserving archaeological, geological and fossil resources on public lands (House, No. 2929);

Of the Bill relative to the economic mobility and stability program (House, No. 3020); and

Of the Resolve establishing a special commission to study the effects of coastal and ocean acidification and its existing and potential effects on species that are commercially harvested and grown along the Massachusetts coast (House, No. 4133);

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. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 1646) of James M. Cantwell and others for legislation to require that certain legislation enacted by the General Court and approved by the Governor contain fiscal notes or local mandate statements;

Property taxes.

Black men and boys.

Cemeteries and crematories.

Accessible homes,— study.

Sex offenders,— internet.

Poet laureate.

Historic roadways.

Electronics,— disposal.

Public lands,— resources.

Housing,— commission.

Coastal acidification.

Enacted legislation.

UNCORRECTED PROOF.

Of the petition (accompanied by bill, House, No. 1647) of Jay R. Kaufman and others relative to establishing a joint legislative budget office within the General Court;

Legislative budget office.

Of the petition (accompanied by bill, House, No. 1648) of Shaunna L. O'Connell and others for legislation to require the committees on Ways and Means of both branches of the General Court to conduct certain hearings on measures that would increase or expand any new or existing taxes or fees; and

Taxes and fees.

Of the petition (accompanied by bill, House, No. 2656) of Diana DiZoglio and others for an investigation by a special commission (including members of the General Court) relative to the legislative process;

Legislative process,— investigation.

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports were considered forthwith; and they were accepted. Sent to the Senate for concurrence, insomuch as relates to the discharge of the committee.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Alyssa Nelson, an employee of the Office for Victim Assistance (House, No. 4228). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Alyssa Nelson,— sick leave.

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

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

Subsequently, the noon recess having terminated, under further suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, the same member moved to amend it by substitution of a bill with the same title (House, No. 4239), which was read.

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

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to concussion prevention (House, No. 1124).

Concussion prevention.

By the same member, for the same committee, on a petition, a Bill to ensure patient medication adherence (House, No. 1140).

Medication adherence.

By the same member, for the same committee, on a petition, a Bill relative to safe patient handling in certain health facilities (House, No. 1144).

Health facility,— patients.

By the same member, for the same committee, on a petition, a Bill relative to death certificates (House, No. 1173).

Death certificates.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to enhance agricultural operations (House, No. 2738).

Agricultural operations.

By the same member, for the same committee, on a petition, a Bill concerning tunnel safety (House, No. 2741).

Tunnel safety.

By the same member, for the same committee, on a petition, a Bill allowing a service branch designation on license plates for disabled veterans (House, No. 2757).

Veterans,— license plates.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill relative to truck inspections (House, No. 3443).

Truck inspections.

By the same member, for the same committee, on a petition, a Bill relative to the creation of a motor carrier safety council (House, No. 3445).

Motor safety council.

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

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill further regulating the Commission on Falls Prevention (House, No. 1164).

Falls Prevention Commission.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a joint petition, a Resolve reviving and continuing the special commission studying cutting, welding and hot work processes regulated by the state fire code (House, No. 4098).

State fire practices.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill regarding right of way violations (House, No. 2752).

Road violations.

By the same member, for the same committee, on a petition, a Bill relative to expired licenses (House, No. 3432).

Expired licenses.

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

Emergency Measure.

The engrossed Bill designating a certain bridge in the city of Fall River as the Ronald Costa bridge (see House, No. 4031), 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.

Fall River,—
Ronald Costa
bridge.

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 7 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 sent to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Further amending the charter of the town of Middleton (see House, No. 3725);
Relative to the sewer construction and private way maintenance and improvement fund in the town of Barnstable (see House, No. 3953);

Bills enacted.

Establishing a residency requirement for the second and subsequent terms of the town manager of the town of Ipswich (see House, No. 4087); and

Exempting Nicholas L. Martone from the maximum age requirement for firefighters in the town of North Andover (see House, No. 4126);

(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.

Recess.

UNCORRECTED PROOF.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House recessed until two o'clock P.M.; and at half past two o'clock the House was called to order with the Speaker in the Chair.

Recess.

Quorum.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 139 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 311.

[See Yea and Nay No. 311 in Supplement.]

Therefore a quorum was present.

Subsequently, identical statements of Representatives Cantwell of Marshfield, González of Springfield, Kaufman of Lexington, Madaro of Boston, Moran of Lawrence, Rushing of Boston, and Vargas of Haverhill were spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during the quorum roll call I was absent from the House Chamber on official business in another part of the State House, and was not notified that a quorum roll call was being held, due to a malfunction of the notification system. My missing of the quorum roll call was due entirely to the reason stated.

Statement of
representatives
not notified of
quorum roll
call.

Reports of Committees.

Prior to the noon recess (Mr. Donato of Medford being in the Chair), Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill removing fees for security freezes and disclosures of consumer credit reports (House, No. 4229), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4232). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Consumers,—
credit reports.

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

Under suspension of Rule 7A, on motion of Mr. Chan of Quincy, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated (the Speaker being in the Chair), under suspension of the rules, on motion of Mr. Chan of Quincy, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed (Mr. Donato of Medford having taken the Chair), Mr. Jones of North Reading and other members of the House moved to amend it in section 13, in lines 302 to 309, inclusive, by striking out the sentences contained in those lines; and the amendment was rejected.

Mr. Chan of Quincy then moved to amend the bill in section 3, in lines 17 and 18, by striking out the text contained in those lines; and in section 12, in line 180, by

striking out the word “seventeen” (as published) and inserting in place thereof the figures: “16”.

The amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill by striking out sections 12, 13 and 14 and inserting in place thereof the following two sections:

“SECTION 12. Said chapter 93 is hereby further amended by inserting after section 62A the following section:—

Section 62B. (a) For the purposes of this section, the following words shall have the following meanings:—

‘Protected consumer’, an individual who is under 16 years of age at the time a request for the placement of a security freeze is made, or an incapacitated person or a protected person as such are defined in section 5-101 of article V of chapter 190B.

‘Record’, a compilation of information that identifies a protected consumer created by a consumer reporting agency solely for the purpose of complying with this section. This record may not be created or used to consider the protected consumer’s credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living.

‘Representative’, a person who provides to a consumer reporting agency sufficient proof of authority to act on behalf of a protected consumer.

‘Security freeze’, (1) if a consumer reporting agency does not have a file that pertains to a protected consumer, a restriction that; (i) is placed on the protected consumer’s record in accordance with this section, and (ii) except as otherwise provided in this section, prohibits the consumer reporting agency from releasing the protected consumer’s record; or (2) if a consumer reporting agency has a file that pertains to the protected consumer, a restriction that prevents the consumer reporting agency from releasing the protected consumer’s consumer report or any information derived from the protected consumer’s consumer report.

‘Sufficient proof of authority’, documentation that shows a representative has authority to act on behalf of a protected consumer, including but not limited to, an order issued by a court of law, a lawfully executed and valid power of attorney or a written, notarized statement signed by a representative that expressly describes the authority of the representative to act on behalf of a protected consumer.

‘Sufficient proof of identification’, information or documentation that identifies a protected consumer or a representative of a protected consumer, including but not limited to, a social security number or a copy of a social security card issued by the social security administration, a certified or official copy of a birth certificate issued by the entity authorized to issue the birth certificate, or a copy of a driver’s license, an identification card issued by the motor vehicle administration, or any other government issued identification.

(b) This section shall not apply to the use of a protected consumer’s consumer report or record by any of the following:—

(1) a person or agent thereof, or an assignee of a financial obligation owing by the consumer to such person or agent thereof, or a prospective assignee of a financial obligation owing by the consumer to that person or agent thereof in conjunction with the proposed purchase of the financial obligation, with which the consumer has or had, prior to assignment, an account or contract, including a demand deposit account, or to whom the consumer issued a negotiable instrument, for the purposes of reviewing the account or collecting the financial obligation owing for the account, contract or negotiable instrument. For purposes of this paragraph, ‘reviewing the account’ shall include activities related to account maintenance, monitoring, credit line increases and account upgrades and

enhancements; or access to said account by a subsidiary, affiliate, agent, assignee or prospective assignee of a person, or agent thereof, to whom access has been granted for purposes of facilitating the extension of credit or other permissible use;

(2) any federal, state or local agency, law enforcement agency, or trial court acting pursuant to a court order, warrant or subpoena;

(3) the Massachusetts child support agency under Title IV-D of the Social Security Act, 42 U.S.C. et seq.;

(4) the executive office of health and human services or its agents or assigns acting to investigate Medicaid fraud;

(5) the department of revenue or its agents or assignees acting to investigate or collect delinquent taxes or unpaid court orders or to fulfill any of its other statutory responsibilities;

(6) a person using credit information for the purposes of prescreening as provided for by the federal Fair Credit Reporting Act;

(7) any person administering a credit file monitoring subscription service to which the protected consumer has subscribed or the protected consumer's representative has subscribed on the protected consumer's behalf;

(8) a person who, upon request from the protected consumer or the protected consumer's representative, provides the protected consumer or the protected consumer's representative with a copy of the protected consumer's consumer report;

(9) to the extent otherwise allowed by statute, any property and casualty insurer licensed by the commonwealth for use in rating or underwriting insurance policies;

(10) a check services or fraud prevention services company that issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar payment methods;

(11) a deposit account information service company that issues reports regarding account closures due to fraud, substantial overdrafts, automated teller machine abuse or similar information regarding a consumer to inquiring banks or other financial institutions for use only in reviewing an individual's request for a deposit account at the inquiring bank or financial institution;

(12) an insurance company for the purpose of conducting the insurance company's ordinary business;

(13) a consumer reporting agency that only resells credit information by assembling and merging information contained in a database of another consumer reporting agency or multiple consumer reporting agencies and that does not maintain a permanent database of credit information from which new consumer reports are produced, except that such financial institution or consumer reporting agency shall be subject to any security freeze placed on a consumer report by another consumer reporting agency from which it obtains information; or

(14) a consumer reporting agency's database or file that consists of information that; (a) concerns and is used for criminal record information, fraud prevention or detection, personal loss history information, or employment, tenant or individual background screening, and (b) is not used for credit granting purposes.

(c) A consumer reporting agency shall place a security freeze on a consumer report for a protected consumer if: (1) the consumer reporting agency receives a written, electronic or verbal request from the protected consumer, or, if required by law, their representative, for the placement of the security freeze; and (2) the protected consumer's representative submits to the consumer reporting agency (i) sufficient proof of identification of the protected consumer, (ii) sufficient proof of identification of the protected consumer's representative, and (iii) sufficient proof of authority to act on behalf of the protected consumer.

If a consumer reporting agency does not have a file that pertains to a protected consumer when the consumer reporting agency receives a request described in this section, the consumer reporting agency shall create a record for the protected consumer.

A consumer reporting agency shall place a security freeze on a consumer report for a protected consumer within 30 days of receiving a request for a security freeze on a consumer report by a protected consumer or the protected consumer's representative.

(d) To remove a security freeze that is placed pursuant to this section, the protected consumer's representative or the protected consumer shall submit a request for the removal of the security freeze to the consumer reporting agency in writing, electronically or by telephone. In the case of a request by a protected consumer's representative, sufficient proof of identification of the protected consumer and the representative, and sufficient proof of authority to act on behalf of the protected consumer shall be presented before the security freeze is lifted. In the case of a request by a protected consumer who is subject to a security freeze, sufficient proof of identification of the protected consumer and proof that the protected consumer is no longer a protected consumer, including but not limited to, an order issued by a court, shall be presented before the security freeze is lifted.

A consumer reporting agency shall remove the security freeze on a consumer report not later than 30 business days after receiving a request to remove the security freeze from the protected consumer or the protected consumer's representative.

A consumer reporting agency may remove a security freeze for a protected consumer or delete a record of a protected consumer if the security freeze was placed or the record was created based on a material misrepresentation of fact by the protected consumer or the protected consumer's representative. A consumer reporting agency shall notify the protected consumer's representative in writing or electronically 30 business days prior to removing a security freeze on the protected consumer's consumer report or deleting a record of the protected consumer.

SECTION 13. Subsection (b) of section 3 of chapter 93H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out lines 45 through 52, inclusive and inserting in place thereof the following two paragraphs:—

The notice to be provided to the resident shall include, but shall not be limited to; (i) the consumer's right to obtain a police report, (ii) how a consumer requests a security freeze and the necessary information to be provided when requesting the security freeze, (iii) and mitigation services to be provided pursuant to this chapter; provided, however, that said notice shall not include the nature of the breach or unauthorized acquisition or use, or the number of residents of the commonwealth affected by said breach or unauthorized access or use. The person or agency breached shall provide a sample copy of the notice it intends to distribute to consumers to the attorney general and the office of consumer affairs and business regulation. The office of consumer affairs and business regulation shall make available electronic copies of the breach notices on its website and post the breach notice within 24 hours of receipt from the person or agency. As practicable and as such not to impede active investigation by the attorney general, the office of consumer affairs and business regulation shall update the breach notice on its website over time as new information is discovered through the investigation process. The attorney general shall provide information to consumers through its website on how consumers can access the data breach notices posted by the office of consumer affairs and business regulation.

UNCORRECTED PROOF.

The notice to be provided under this section shall not be delayed on grounds that the total number of residents affected is not yet ascertained. In such case, and where otherwise necessary to update or correct the information required, a person or agency shall provide additional notice as soon as practicable and without unreasonable delay upon learning such additional information.”; and

By striking out section 16 and inserting in place thereof the following section:

“SECTION 16. Said section 3 of said chapter 93H, as so appearing, is hereby further amended by adding the following subsection:—

(e) If the breach of security includes a social security number, the person or agency shall offer to each resident whose personal information, including social security number, was breached or is reasonably believed to have been breached, credit monitoring services at no cost to such resident for a period of 1 year. Such person or agency shall provide all information necessary for such resident to enroll in such services and shall include information on how such resident can place a security freeze on such resident’s consumer report.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Chan of Quincy; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 312 in Supplement.]

Therefore the bill (House, No. 4241, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,—
yea and nay
No. 312.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next
sitting.

Mr. Smola of Warren then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-six minutes before four o’clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 15, 2018.

[20]

JOURNAL OF THE HOUSE.

Thursday, February 15, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Peake of Provincetown in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God Ever-present to us, we would rather continue to give thanks for some moment in Massachusetts history or to lift up some native son or daughter who was born on this day and accomplished something that was a gift to civilization, but instead we need to yet again pray for more victims of gun violence in our country.

Prayer.

God of Comfort and Strength in times of trial, we sadly note that this violent act occurred on a day when popular culture celebrated romantic love and when many of Your followers in the Christian faith were marked with a sign on their foreheads that reminded them of their need to turn away from all forms of selfishness and sinful tendencies and to turn to You in Your way of compassion and selfless love.

We once again stand together to pray for those affected by a mass killing. We pray for healing for those injured; peace and comfort for the parents and family members of the victims; and eternal rest for those who were killed.

May we as Americans not give in to a spirit of resignation but may we strive with conviction to make our schools, streets, workplaces and homes safer places in which to live.

Let us now pause for a moment of silence...

May God continue to bless our Commonwealth. Amen.

At the request of the Chair (Ms. Peake), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Statement of Representative Ashe of Longmeadow.

A statement of Mr. Ashe of Longmeadow was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not present in the House Chamber for the sitting of Wednesday, September 13, 2017, due to official business while attending a National Legislators Conference. If I could have been present on that day, please accept this statement as a record that I would have voted in favor of all legislation which was voted on during my absence. My missing of roll calls on September 13, 2017 was due entirely to the reason stated.

Statement of
Mr. Ashe of
Longmeadow.

Special Recognition.

During the Session, Mr. Wong of Saugus took the Chair, declared a brief recess and, on behalf of Representatives Chan of Quincy, Mom of Lowell, Orrall of Lakeville and Schmid of Westport and paid tribute to the members of the Asian community of the Commonwealth on the occasion of Lunar New Year.

Asian Lunar
New Year.

The Lunar New Year represents a time of new beginnings and new opportunities. It is a time for families to get together to celebrate. It is a time to wish each other good health and good future for the year to come.

Guests of the House.

During the session, the Chair (Ms. Peake of Provincetown), declared a brief recess and introduced the Wellesley Neighbors, who were seated in the House Chamber. They were the guests of Ms. Piesch of Wellesley.

Wellesley
Neighbors.

Annual Report.

The annual report of the Commissioner of Capital Asset Management and Maintenance (under Section 39 of Chapter 7C of the General Laws) of the inventory of the real property owned, rented or otherwise occupied by public agencies, was placed on file.

Real property
annual
report.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until February 21, 2018, within which time to make its final report on current Senate documents numbered 1853 and 1877 relative to monthly minimum reliability contributions (Senate, No. 2305).

Telecommunication
s, Utilities and
Energy,—
extending time
for reporting.

Under suspension of the rules, on motion of Mr. Golden of Lowell, the order was considered forthwith; and it was adopted, in concurrence.

Bills

To protect access to confidential healthcare (Senate, No. 2296, amended in section 4, in lines 80 and 81 by striking out the following: “Subsections (b) to (g), inclusive, of section 27 of chapter 176O of the General Laws shall take effect 9 months after the effective date of this act” and inserting in place thereof the following: “Clause (D) of subsection (b) of section 27 of chapter 176O of the General Laws shall take effect on April 1, 2019”; and by adding the following section:

Healthcare,—
confidentiality.

“SECTION 5. Nothing in this act shall supersede any general or special law related to the informed consent of minors.”) (on Senate bill, No. 591); and

Expanding the community college training incentive program (Senate, No. 2297, amended by adding the following section:

Community college
training program.

“SECTION 3. The commissioner of higher education shall investigate the feasibility of developing a finish line scholarship program to provide scholarships to cover the entire cost of tuition and fees for 1 year, other than the first year, in a program leading to an associate’s or bachelor’s degree at a Massachusetts public college or university to full-time residents in need of financial assistance whose family income is less than the 125 per cent of the median family income.

The department shall provide recommendations to the general court on: (i) potential cost of the program; (ii) potential sources of funding for the program; (iii) eligibility requirements; (iv) selection criteria including, but not limited to, acceptable grades and an academic plan for timely degree completion; (v) metrics for measuring the success of the program; and (vi) any other guidelines that may increase overall student success and graduation rates and that may lower achievement gaps for high-risk students.

The department shall file its report and its recommendations with the clerks of the senate and house of representatives, the senate and house chairs of the joint committee on higher education and the chairs of the house and senate committees on ways and means not later than January 1, 2019.”) (on Senate bill, No. 676);

Severally passed to be engrossed by the Senate, was read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill establishing a sick leave bank for Linda Thernize-Williams, an employee of the Department of Transitional Assistance (Senate, No. 2251, amended by inserting before the enacting clause the following emergency preamble:

Linda Thernize-Williams,—
sick leave.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of transitional assistance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2303) of Michael J. Rodrigues and Paul A. Schmid, III (by vote of the town) for legislation to authorize the town of Westport to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Westport,—
liquor license.

A report of the committee on Consumer Protection and Professional Licensure, that the communication from the Massachusetts Gaming Commission (pursuant the provisions of Section 9B of Chapter 128A of the General Laws) submitting proposed amendments to regulations 205 CMR 3.00: Harness Horse Racing and 4.00 Rules of Horse Racing (Senate, No. 2162), recommending that the same be placed on file was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Massachusetts
Gaming
Commission,—
regulations.

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 petition of Nick Collins for legislation to establish a sick leave bank for Essie

Essie Page,—
sick leave.

UNCORRECTED PROOF.

Page, an employee of the Parole Board. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Resolve reviving and continuing the special commission studying cutting, welding and hot work processes regulated by the state fire code (House, No. 4098), be scheduled for consideration by the House.

Cutting, welding and hot work processes,—study.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 424 and House, No. 2121, a Bill reducing plastic bag pollution (House, No. 4234) [Senator Fattman dissenting].

Plastic bags,—reduction.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 1516, 1606, 3305, 3309 and 3697, a Bill relative to veterans property tax abatements (House, No. 4215).

Veterans,—tax abatements.

By the same member, for the same committee, on House, No. 3330, a Bill establishing the Massachusetts rural jobs act (House, No. 4216).

Rural jobs.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 431 and 432, a Bill relative to farmers' markets (House, No. 4233).

Farmers' markets.

By Ms. Cronin of Easton, for the committee on the Judiciary, on Senate, No. 823 and House, No. 718, a Bill to establish the uniform enforcement of foreign judgments (House, No. 718).

Foreign judgments,—enforcement.

By the same member, for the same committee, on a petition, a Bill to strengthen civil rights (House, No. 767).

Civil rights.

By the same member, for the same committee, on a petition, a Bill to advance hate-crime protections for victims who are targeted due to their gender (House, No. 774).

Hate crime prevention.

By the same member, for the same committee, on Senate, No. 839 and House, No. 908, a Bill prohibiting gunfire directed at dwelling houses (House, No. 908).

Gunfire.

By the same member, for the same committee, on Senate, No. 835 and House, No. 2289, a Bill criminalizing sexual assault by fraud by a medical professional (House, No. 2289).

Sexual assault,—fraud.

By the same member, for the same committee, on a petition, a Bill to add law enforcement councils to the Massachusetts TORT Claims Act (House, No. 2356).

Claims Act,—law council.

By the same member, for the same committee, on a petition, a Bill concerning the Massachusetts Probation Service (House, No. 3099).

Probation service.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Lauri Smith-Bopp, an employee of the Department of Revenue (House, No. 4154).

Lauri Smith-Bopp,—sick leave.

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

Orders of the Day.

The House Bill amending the charter of the town of Chelmsford relative to town manager, administrative powers and duties (House, No. 4071) was read a third time.

Chelmsford,—
charter.

The committee on Bills in the Third Reading reported recommending that the bill be consolidated with the House Bill amending the charter of the town of Chelmsford relative to ministerial and grammatical non-substantive changes (House, No. 4124), likewise referred to said committee, and substituting therefor a Bill amending the charter of the town of Chelmsford (House, No. 4243), 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 designating a certain bridge in the town of Lee as the Lou DiGrigoli memorial bridge (House, No. 4156, changed) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Lou DiGrigoli
memorial bridge.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 1 and 2, by striking out the following: “spanning United States highway route 20 on Laurel Street” and inserting in place thereof the following: “on United States highway Route 20 on Laurel street spanning the Housatonic river”; by striking out section 2; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain bridge in the town of Lee, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 4156, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At fourteen minutes after eleven o’clock A.M., on motion of Mr. Wong of Saugus (Ms. Peake of Provincetown being in the Chair), the House recessed until twelve o’clock noon; and at that time the House was called to order with Ms. Peake in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill further regulating the warrant process for the annual town meeting in the town Weston (see House, No. 3873) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2280; and striking out the emergency preamble) of the House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4160, amended), having been reported by the committee on Bills in the Third Reading to be correctly drawn, were considered.

Supplementary appropriations.

The amendments then were divided, at the request of Mr. Sánchez of Boston.

On a motion of the same member, the House concurred with the Senate in the amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2280) with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4242.

The House non-concurred in the Senate amendment striking out the emergency preamble.

Sent to the Senate for its action.

Recess.

At thirteen minutes after one o'clock P.M., the Chair (Ms. Peake of Provincetown) declared a recess subject to the call of the Chair; and at three o'clock the House was called to order with Mr. McMurtry of Dedham in the Chair.

Recess.

Emergency Measures.

The engrossed Bill making appropriations for the fiscal years 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4160, 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.

Supplemental appropriations.

A separate vote then 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 2 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 sent to the Senate.

Bill enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

At twelve minutes after three o'clock P.M., on motion of Mr. Wong of Saugus (Mr. McMurtry of Dedham being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, FEBRUARY 20, 2018.

[21]

JOURNAL OF THE HOUSE.

Tuesday, February 20, 2018.

Met at seven minutes after eleven o'clock A.M., in an Informal Session, with Mr. Moran of Boston 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. Moran of Boston), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Communication from Representative Solomon Goldstein-Rose of Amherst.

A communication from Representative Solomon Goldstein-Rose of Amherst that he had officially changed his party affiliation from Democrat to unenrolled, was placed on file.

Mr. Solomon
Goldstein-Rose
of Amherst,—
party change.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Samuel H. Wiesman on receiving the Eagle Award of the Boy Scouts of America; and

Samuel
Wiesman.

Resolutions (filed by Mrs. O'Connell of Taunton and other members of the House) congratulating Homes for Our Troops on their two hundred fiftieth specially adapted custom homes for veterans;

Homes for
Our Troops.

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

Communications.

Communications

From the Massachusetts Rehabilitation Commission (see Section 79(h) of Chapter 6 of the General Laws) submitting its annual report for 2017; and

Rehabilitation
Commission.

From the Office of the Plymouth District Attorney (see Section 32 of Chapter 12 of the General Laws) submitting a report of the Community Based Juvenile Justice Program Report for the calendar year 2017;

Plymouth
County,—
juveniles.

Severally were placed on file.

Annual Report.

The annual report of the Department of Early Education and Care (under

Early Education
and Care.

UNCORRECTED PROOF.

sections 3(g), 4, 5, 10 and 13(d) of Chapter 15D of the General Laws) for the year 2017, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Messrs. Crighton of Lynn and Cahill of Lynn, a petition (subject to Joint Rule 12) of Brendan P. Crighton for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc.

Lynn,—
land.

By Mr. Murphy of Weymouth (by request), a petition (subject to Joint Rule 12) of Jacob Kohl relative to alcoholic beverages on vessels or shipping companies carrying passengers.

Alcoholic
beverages.

By Mr. Puppolo of Springfield, a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., relative to civil penalties for the disposal of trash or garbage from motor vehicles.

Littering
penalties.

By Representative Schmid of Westport and Senator Rodrigues, a joint petition (subject to Joint Rule 12) of Paul A. Schmid, III and Michael J. Rodrigues relative to the retention of animal inspection records.

Animal
inspections,—
records.

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

Reports of Committees.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a message from His Excellency the Governor, a Bill relative to the issuance of tax bills in the town of Hatfield (printed in House, No. 4198). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hatfield,—
tax bills.

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

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

Subsequently under further suspension of the rules, on motion of Mr. Smola of Warren, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, 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 Linda Thernize-Williams, an employee of the Department of Transitional Assistance (Senate, No. 2251, amended); and

Linda Thernize-
Williams,—
sick leave.

The House Bill establishing a sick leave bank for Lauri Smith-Bopp, an employee of the Department of Revenue (House, No. 4154);

Lauri Smith-
Bopp,—
sick leave.

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

By Ms. Cronin of Easton, for the committee on the Judiciary, on Senate, No. 838 and House, Nos. 879 and 3327, a Bill encouraging the donation of food to persons in need (House, No. 3327).

Food
donations.

UNCORRECTED PROOF.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to documentary material or data received by retirement boards (House, No. 1329).

Retirement boards,— data.

By the same member, for the same committee, on a petition, a Bill relative to attorneys at the Department of Children and Families (House, No. 1340).

DCF,— attorneys.

By the same member, for the same committee, on a petition, a Bill relative to certain option B and option C retirees (House, No. 1354).

Retirees.

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

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill relative to child-centered family law (House, No. 3090).

Family law.

By the same member, for the same committee, on House, No. 752, a Bill relative to anti-litigation provisions in condominium documents (House, No. 4235).

Condominiums,— documents..

By the same member, for the same committee, on House, No. 753, a Bill relative to construction defect claims by condominium owners (House, No. 4236).

Condominiums,— defects.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to the retirement classification of Boston school police officers (House, No. 1363) [Local Approval Received].

Boston,— school police.

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

Orders of the Day.

The Senate further amendment to the House amendment of the Senate Bill relative to standards of employee safety (printed as House, No. 3952, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Employee safety.

Bills

Relative to the ownership and occupancy deadline for residential property exemptions in the city of Boston (House, No. 4073);

Third reading bills.

Relative to the town manager of the town of Upton (House, No. 4121); and

Establishing a sick leave bank for Elise Sanchez-Oshea, an employee of the Trial Court (House, No. 4150);

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 House Bill providing for the annual observance of the month of March as Massachusetts maple month and designating pure Massachusetts maple syrup as the official sweetener of the Commonwealth (House, No. 3735), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Maple syrup,— month.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a Bill designating the month of March as Massachusetts maple month (House, No. 4246), which was read.

The amendment was adopted; and the substituted bill was passed to be

engrossed. Sent to the Senate for concurrence.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Moran of Boston being in the Chair), the House recessed until ten minutes before twelve o'clock noon; and at five minutes after noon the House was called to order with Mr. Moran of Boston in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill relative to standards of employee safety (see Senate bill printed as House, No. 3952, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Employee safety.

Pending the question on passing the bill to be enacted, Mr. Brodeur of Melrose moved that Rule 40 be suspended; and the motion prevailed. The same member then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

Rule 40 suspended.

“SECTION 1. Section 6 of chapter 149 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out , in line 24, the words ‘authority hereof’ and inserting in place thereof the following words:— this section or section 6 ½.

SECTION 2. Said chapter 149 is hereby further amended by striking out section 6 ½, as so appearing, and inserting in place thereof the following section:—

Section 6 ½. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘Public employees’, individuals employed by a public employer.

‘Public employers’, places of employment subject to section 28 of chapter 7, any agency, executive office, department, board, commission, bureau, division or authority of the commonwealth or of any political subdivision of the commonwealth, any quasi-public independent entity and any authority or body politic and corporate established by the general court to serve a public purpose.

(b) Public employers shall provide public employees at least the level of protection provided under the federal Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et. seq., including standards and provisions of the general duty clause contained in 29 U.S.C. 654.

(c) The governor shall appoint an occupational health and safety hazard advisory board which shall consist of the following 19 members: the secretary of labor and workforce development or a designee, who shall serve as the co-chairperson; the personnel administrator or a designee, who shall serve as co-chairperson; the director of the division of labor standards or a designee; the secretary of administration and finance or a designee; the director of the office of employee relations or a designee; the commissioner of public health or a designee; the director of industrial accidents or a designee; 4 representatives from labor unions representing public employees; 1 representative from a community-based health and safety advocacy organization; the president of the Massachusetts Municipal Association, Inc. or a designee; the president of the Massachusetts Highway Association or a designee; the president of the Massachusetts Association of School Committees, Inc. or a designee; the president of the Massachusetts

Association of School Superintendents, Inc. or a designee; the president of the Massachusetts Water Works Association Inc. or a designee; the president of the Massachusetts Municipal Management Association or a designee; and 1 member of the faculty of the department of work environment at the University of Massachusetts at Lowell.

The advisory board shall evaluate injury and illness data, recommend training and implementation of safety and health measures, monitor the effectiveness of safety and health programs and determine where additional resources are needed to protect the safety and health of public employees.

(d) The department shall promulgate regulations to enforce this section. The department shall consult with the advisory board established in subsection (c) prior to: (i) adopting or amending the regulations; or (ii) the submission of a state plan for occupational safety and health standards and their enforcement to the United States Secretary of Labor pursuant to 29 U.S.C. 667. The department may, after consulting with the advisory board, adopt specific regulations for individual quasi-public independent entities and authorities.

(e) The attorney general may bring a civil action for declaratory or injunctive relief to enforce this section.

SECTION 3. This act shall take effect on February 1, 2019.”.

The amendment was adopted. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At nine minutes after twelve o'clock noon, on motion of Mr. Smola of Warren (Mr. Moran of Boston being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 22, 2018.

[22]

JOURNAL OF THE HOUSE.

Thursday, February 22, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, we give You thanks for the brief taste of summer weather yesterday. Now that more seasonal weather is upon us, we ask You to lift up our spirits in hope for an eventual springtime.

Prayer.

We ask Your blessing upon our elected members of this chamber and their staff.

Today marks the anniversary of the 1809 incorporation of a small town in Franklin County, Leyden. Leyden is named after the city in the Netherlands where the Pilgrims lived before coming to establish Plymouth colony. Bordering Vermont, Leyden is one of the few towns in Massachusetts that does not have a state route or highway running through it. The largest industry in Leyden is the manufacturing of maple sugar. We pray today for Second Berkshire District Representative Paul Mark and his staff.

May God continue to bless our Commonwealth.

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 Prayer.

At the request of Speaker DeLeo and Representative Dooley of Norfolk, the members, guests and employees stood in a moment of silent tribute to the memory of former Plainville Police Chief Edward "Ned" Merrick, Jr., who passed away on January 5, 2018 at his home in Plainville after a lengthy illness.

Edward "Ned" Merrick, Jr.

Chief Merrick served in the United States Air Force during the Vietnam War, and later served in the Massachusetts National Guard. He served as a police officer in Brookline for 24 years, as the Chief of Police in Plainville from 1995 to 2009, and was the Plainville Director of Public Safety. He also worked as Legislative Director for the Massachusetts Police Association, was elected president of the Massachusetts Chiefs of Police Association, served as a member of the Massachusetts Criminal Justice Training Council, and as adjunct faculty at Anna Maria College and Western New England College.

Chief Merrick is survived by his wife, Donna, his children, Lynne Merrick Nagle, Edward Merrick III and his wife Susan, and Stephen Merrick and his wife Christina, as well as several grandchildren.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, Girl Scout Troop 30220 from Grafton. At the invitation of the Chair, the Girl Scouts participated in the pledge of allegiance to the flag. They were the guests of Mr. Muradian of Grafton.

Girl Scout
Troop 30220.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, Girl Scout Junior Troop 62312 from Rockland. They were the guests of Mr. DeCoste of Norwell.

Girl Scout
Junior Troop
62312.

Order.

The following order (filed by Mr. Wagner of Chicopee) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Friday, April 13, 2018 within which time to make its final report on current Senate document numbered 2273.

Economic
Development
and Emerging
Technologies
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4247), ought to be adopted. Under suspension of the rules, on motion of Mr. McGonagle of Everett, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Jacob William Biello on receiving the Eagle Award of the Boy Scouts of America;

Jacob
Biello.

Resolutions (filed by Mr. Lombardo of Billerica and other members of the House) recognizing March 6, 2018 as the World Lymphedema Awareness Day; and

Lymphedema
Awareness Day.

Resolutions (filed by Representatives Smola of Warren, Durant of Spencer, Frost of Auburn, Campanale of Leicester and Kuros of Uxbridge) congratulating the United Way of Southbridge, Strubridge and Charlton, Inc. on its eightieth anniversary;

United Way,—
anniversary.

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. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Department of Transitional Assistance (see Section 10 of Chapter 18 of the General Laws) submitting the annual report on the operations, organization and responsibilities of said department for the fiscal year 2017; and

DTA
annual
report.

UNCORRECTED PROOF.

From the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service police promotional series eligible lists which have been revoked by the Personal Administrator as of October 1, 2017; Severally were placed on file.

Civil service lists.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Kelcourse of Amesbury, a petition (accompanied by bill, House, No. 4249) of James M. Kelcourse and Kathleen O'Connor Ives (with the approval of the mayor and city council) that the city of Newburyport be authorized to hold a special election in said city. To the committee on Election Laws.

Newburyport,— special election.

By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 4250) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to impose a local excise tax on short-term rentals in said city. To the committee on Revenue.

Salem,— short-term rentals.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Crighton of Lynn, a petition (subject to Joint Rule 12) of Brendan P. Crighton and Daniel Cahill that the Department of Conservation and Recreation be authorized to grant a certain easement for economic development in the city of Lynn.

Lynn,— easement.

By Representative Mark of Peru and Senator Hinds, a joint petition (subject to Joint Rule 12) of Paul W. Mark and Adam G. Hinds that the town of Dalton be authorized to convey certain parcels of land to the Department of Fish and Game.

Dalton,— land.

By Representative Schmid of Westport and Senator Rodrigues, a joint petition (subject to Joint Rule 12) of Paul A. Schmid, III and Michael J. Rodrigues that the Director of Animal Health be authorized to requiring annual training for municipal animal inspectors.

Animal inspectors,— training.

By Mr. Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia and others relative to protecting elders from bullying.

Elderly,— bullying.

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

Papers from the Senate.

The House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 4045), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2300.

Capital facilities.

Under suspension of Rule 35, on motion of Mr. Sánchez of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Sánchez, Haddad of Somerset and Vieira of Falmouth were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of

Id.

conference; and that Senators **Spilka, Keenan and Humason** had been joined as the committee on the part of the Senate.

The House Bill relative to candidates for mayor and city council in Framingham (printed in House, No. 4046), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the following:

“Section 19 of chapter 55 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 7, the figures: “75,000” and inserting in place thereof the following figures: “65,000”.”;

inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purposes, which is to further regulate certain reporting requirements for candidates for the office of mayor and city council in certain cities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”;

and striking out the title and inserting in place thereof the following title:

“An Act further regulating certain reporting requirements for candidates for the office of mayor and city council in certain cities.”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

The Senate Bill relative to the appointment of retired police officers in the town of Essex (Senate, No. 2271) (on Senate bill No. 2077) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2307) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

A petition of Bruce E. Tarr, Bradley H. Jones, Jr., Richard J. Ross, Donald F. Humason, Jr. and other members of the General Court for legislation relative to the Sex Offender Registry Board, came 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. 2311) was referred, in concurrence, to the committee on the Judiciary.

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 petition of Paul Tucker relative to the classification of certain employees of the South Essex Sewerage District for retirement purposes. Under suspension of the rules, on motion of Ms. Barber of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mayor and city council candidates,— reporting requirements.

Essex,— retired police.

Wareham,— liquor license.

Sex Offender Registry Board.

South Essex Sewerage District,— retirement.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 15, 1466, 1467, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1479, 1481, 1483, 1484, 1485, 1486, 1488, 1489, 1490, 1491, 1493, 1494, 1495, 1496, 1500, 1501, 1502, 1503, 1506, 1507, 1508, 1509, 1511, 1512, 1513, 1514, 1515, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1536, 1538, 1540, 1542, 1543, 1544, 1547, 1548, 1549, 1551, 1552, 1553, 1554, 1555, 1556, 1559, 1560, 1561, 1563, 1564, 1565, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1605, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1616, 1617, 1618, 1620, 1621, 1622, 1624, 1625, 1628, 1630, 1631, 1632, 1633, 1635, 1637, 1638, 1639, 1641, 1642, 2585, 2588, 2590, 2591, 2594, 2595, 2596, 2597, 2598, 2599, 2601, 2603, 2604, 2605, 2606, 2609, 2612, 2613, 2619, 2620, 2621, 2622, 2624, 2625, 2626, 2627, 2629, 2630, 2633, 2634, 2636, 2637, 2640, 2641, 2643, 2644, 2646, 2647, 2648, 2649, 2650, 2652, 2653, 2655, 3304, 3307, 3308, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3320, 3321, 3322, 3326, 3328, 3329, 3331, 3332, 3333, 3335, 3336, 3340, 3341, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3351, 3353, 3461, 3522, 3523, 3524, 3526, 3527, 3622, 3623, 3624, 3625, 3779, 3780, 3792, 3871 and 3919, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning revenue matters (House, No. 4244). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Revenue,—
study.

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.

Mr. Galvin of Canton, for said committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 2636) of Sarah K. Peake and Julian Cyr (by vote of the town) relative to a senior property tax exemption for the town of Harwich,— and recommending that the same be recommitted to the committee on Revenue.

Harwich,—
tax exemption.

Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Parisella of Beverly, for the committee on Public Service, on House, No. 31 and on a part of House, No. 23, a Bill relative to the Massachusetts State Employees Retirement System (House, No. 31).

Retirement
system.

By the same member, for the same committee, on House, No. 32 and on a part of House, No. 23, a Bill relative to group classification (House, No. 32).

Group
classification.

By the same member, for the same committee, on a petition, a Bill relative to injured correctional officers (House, No. 1321).

Injured
officers.

By the same member, for the same committee, on a petition, a Bill relative to further defining employees classified in Group 4 (House, No. 1377).

Retirement
classification.

By the same member, for the same committee, on a petition, a Bill relative to certain state police retirement benefits (House, No. 1382).

Police retirement
benefits.

By the same member, for the same committee, on a petition, a Bill relative to creditable service for Robert Iantosca, an employee of the Department of Revenue (House, No. 1406).

Robert
Iantosca,—
creditable service.

By the same member, for the same committee, on a petition, a Bill providing fair and equitable line of duty death benefits for public employees (House, No.

Death
benefits.

1417).

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Boylston to convey a certain parcel of land (House, No. 4197) [Local Approval Received].

Boylston,—
land.

By Mr. Parisella of Beverly, for the committee on Public Service, on House, No. 19 and on a part of House, No. 17, a Bill providing for continuing education credits flexibility (House, No. 19).

Continuing
education.

By the same member, for the same committee, on a joint petition, a Bill relative to death benefits to surviving spouses of call and volunteer firefighters (House, No. 1388).

Firefighters,—
call and
volunteer.

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

Emergency Measure.

The engrossed Bill designating a certain bridge as the George Allaire Memorial Bridge (see House, No. 4157), 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.

Yarmouth,—
Allaire
bridge.

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 8 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 sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill relative to the charter of the town of Wareham (Senate, No. 2144), 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.

The House Bill amending the charter of the town of Oxford to elect 3 members of the housing authority (House, No. 3746), 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. Sent to the Senate for concurrence.

Id.

The House Bill authorizing the sale of certain property located at 616 Towne Street in the town of North Attleborough (House, No. 3787) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

North
Attleborough,—
property.

On the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4248), which was read.

The amendment was adopted; and the substituted bill was passed to be

UNCORRECTED PROOF.

engrossed. Sent to the Senate for concurrence.

Recess.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at sixteen minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill relative to standards of employee safety (see Senate bill printed as House, No. 3952) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Employee safety.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At thirteen minutes before one o'clock P.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, FEBRUARY 26, 2018.

[23]

JOURNAL OF THE HOUSE.

Monday, February 26, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice, we pray for the membership of the House and their staff. We give thanks for the many employees at work throughout this historic building.

Prayer.

We remember that on this day in 1638, a ship named Desire arrived in its home port of Salem Harbor with enslaved Africans aboard. This vessel's arrival is the first documented case of slaves imported to the Massachusetts Bay Colony. Puritans of the colony were known to have bought, sold, and held enslaved Africans.

According to Mass Humanities, ships left Massachusetts ports with fish to feed the enslaved Africans working on the sugar plantations of the West Indies. Along with the fish, merchants shipped lumber that was used to build barrels in which to ship sugar and molasses back. The vessels returned from the Indies loaded with molasses and often carrying a number of enslaved men and women to be sold in the Bay Colony. The molasses was distilled into rum, some of which was sold locally; and the rest was shipped to Africa and traded for more captured men and women.

By 1700 the black population in the colony numbered about 500 people. On the eve of the Revolution, Massachusetts had over 5,200 black residents, more than any other New England colony. Slavery came to an end in Massachusetts after the Revolutionary War.

May God continue to bless our Commonwealth.

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.

Resolutions.

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

Resolutions (filed by Ms. Hogan of Stow) congratulating Max Buchholz on achieving the rank of Eagle Scout with the Boy Scouts of America;

Max
Buchholz.

Resolutions (filed by Mr. Linsky of Natick) congratulating Theodore Allen Davidson on receiving the Eagle Award of the Boy Scouts of America;

Theodore
Davidson.

Resolutions (filed by Mr. Linsky of Natick) congratulating David Nathaniel Kennan on receiving the Eagle Award of the Boy Scouts of America; and

David
Kennan.

Resolutions (filed by Mr. Linsky of Natick) congratulating Charles Edward Whittlesey on receiving the Eagle Award of the Boy Scouts of America;

Charles
Whittlesey.

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. Linsky of Natick, the resolutions (reported by the

committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Thursday, March 15, 2018 within which time to make its final report on current House documents numbered 4149, 4151 and 4222.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4251), ought to be adopted. Under suspension of the rules, on motion of Mr. Golden of Lowell, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Telecommunication
s, Utilities
and Energy
committee,—
extension
of time for
reporting.

Communication.

A communication from the Department of Elementary and Secondary Education (see item 7061-9611 of Chapter 47 of the Acts of 2017) submitting its report on the After-School and Out-of-School Time Quality Enhancement Grants for the fiscal year 2018, was placed on file.

After and
out-of-school
time grants.

Petitions.

Petitions severally were presented and referred as follows:

By Miss Garry of Dracut, a petition (accompanied by bill, House, No. 4254) of Colleen M. Garry and Eileen M. Donoghue (by vote of the town) that the town of Tyngsborough be authorized to grant 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises; and

By the same member, a petition (accompanied by bill, House, No. 4255) of Colleen M. Garry (by vote of the town) that the town of Tyngsborough be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises;

Severally to the committee on Consumer Protection and Professional Licensure.

Severally sent to the Senate for concurrence.

Tyngsborough,—
liquor
licenses.

Tyngsborough,—
liquor
license.

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:

Joint petition (accompanied by bill) of Paul A. Schmid, III and Michael J. Rodrigues relative to the retention of animal inspection records. To the committee on Environment, Natural Resources and Agriculture.

Joint petition (accompanied by bill) of Joseph D. McKenna and Ryan C. Fattman for legislation to establish a sick leave bank for Elliot Brown, an employee of the Department of Public Health. To the committee on Public Service.

Animal
inspections,—
records.

Elliot
Brown,—
sick leave.

UNCORRECTED PROOF.

Petition (accompanied by bill) of Brendan P. Crighton and Daniel Cahill that the Department of Conservation and Recreation be authorized to grant a certain easement for economic development in the city of Lynn; and

Lynn,—
land.

Petition (accompanied by bill) of Brendan P. Crighton and Daniel F. Cahill for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc.;

Id.

Severally to the committee on State Administration and Regulatory Oversight.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

Relative to job creation through employee ownership (House, No. 1026);

Employee owners.

Relative to the procedure for approval of plans not subject to subdivision control law (House, No. 1083);

Subdivision
control.

Relative to law enforcement officers safety act (House, No. 1248); and

Officers safety.

Relative to the timely and consistent payment of law enforcement personnel (House, No. 2657);

Law
enforcement,—
payment.

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill providing the next of kin of a police officer or firefighter killed in the line of duty with the flags of the Commonwealth and the United States (House, No. 1459).

Line of duty
deaths,—
flags.

By the same member, for the same committee, on a petition, a Bill relative to employment benefits for Patricia Kannler (House, No. 2514).

Patricia Kannler,—
benefits.

By the same member, for the same committee, on a petition, a Bill authorizing the South Shore Charter School to join the State Employees Retirement System (House, No. 2530).

South Shore
Charter School,—
retirement.

By the same member, for the same committee, on a petition, a Bill relative to employees of the Department of Fire Services (House, No. 2535).

Fire Services,—
retirement.

By the same member, for the same committee, on a petition, a Bill relative to disability or death caused by contagious diseases, presumption (House, No. 3278).

Contagious
diseases.

By the same member, for the same committee, on a petition, a Bill relative to firefighter training (House, No. 3289).

Firefighters,—
training.

By the same member, for the same committee, on a petition, a Bill relative to chapter 15A (House, No. 3302).

Higher education,—
retirement.

By the same member, for the same committee, on a petition, a Bill relative to state job postings (House, No. 3620).

State jobs,—
posting.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the Bristol County Commissioners to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at Bristol County Agricultural School in the town of Dighton (House, No. 4227).

Dighton,—
Bristol County
Agricultural High
School.

UNCORRECTED PROOF.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to disability benefits (House, No. 2515).

Disability benefits.

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Water Resources Authority (House, No. 2519).

MWRA.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Essie Page, employee of the Massachusetts Parole Board (House, No. 4245).

Essie Page,—
sick leave.

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

Engrossed Bills.

Engrossed bills

Relative to the charter of the town of Wareham (see Senate, No. 2144) (which originated in the Senate);

Bills enacted.

Amending the charter of the town of Bourne (see House, No. 3918, amended); and

Establishing a revolving fund in the town of Westborough (see House, No. 3992, 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 relative to a Wareham Redevelopment Authority (Senate, No. 2145, amended), 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.

The House Resolve reviving and continuing the special commission studying cutting, welding and hot work processes regulated by the state fire code (House, No. 4098), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Cutting, welding and hot work processes,—
commission.

Pending the question on passing the resolve to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 2 by striking out the date: “June 30” and inserting in place thereof the date: “August 15”.

The amendment was adopted; and the resolve (House, No. 4098, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

At a quarter after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, FEBRUARY 28, 2018.

[24]*

JOURNAL OF THE HOUSE.

Wednesday, February 28, 2018.

Met according to adjournment at eleven o'clock A.M. 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, we give You thanks for the magnificent weather we enjoy on this last day of February. We pray for our elected officials in this chamber and for the many people who work here and throughout the building.

Prayer.

Later today W.E.B. Du Bois will be honored in a ceremony here in this Chamber. This past Friday marked the 150th anniversary of the birth of William Edward Burghardt DuBois who was born in the Berkshires, in the town of Great Barrington.

He was a sociologist, the first African-American to earn a doctorate – his was from Harvard, an historian and an author and is perhaps best known for being one of the co-founders of the National Association for the Advancement of Colored People, the NAACP.

We give thanks to You God of strength for this son of Massachusetts whose courage and intellect continues to help countless individuals re-examine their attitude toward race and racism.

May God continue to bless our Commonwealth.

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 Prayer.

During the session, the Speaker took the Chair and requested that the members, guests and employees stood in a moment of silent tribute to the memory of friend and colleague Peter V. Kocot of Northampton, a member of the House from Northampton from 2002 to 2018, inclusive, who passed away on February 22nd.

Peter V. Kocot.

Statement Concerning Representative Walsh of Framingham.

A statement of Mrs. Haddad of Somerset concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber for today's sitting. If he could have been in attendance, he would have voted in the affirmative on passing to be engrossed the Senate Bill to protect access to confidential healthcare (Senate, No. 2296, amended).

Statement concerning Mr. Walsh of Framingham.

Appointments to Joint Standing Committees.

The Speaker announced that he had appointed (under Rule 18A) Representative Whipps of Athol to the 9th position, in each instance, on the joint committees on Elder Affairs; Municipalities and Regional Government; and Tourism, Arts and Cultural Development, to fill existing vacancies.

Joint standing committees.

Resolutions.

Resolutions (filed with the Clerk by Mr. Pignatelli of Lenox and other members of the House) commemorating the one hundred and fiftieth anniversary of the birth of William Edward Burghardt Du Bois, were referred, under Rule 85, to the committee on Rules.

W.E.B. Du Bois.

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

Monthly Report.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through January 2018, was placed on file.

Unemployment Trust Fund.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Barrows of Mansfield and Senator Feeney, a joint petition (accompanied by bill, House, No. 4257) of F. Jay Barrows and Paul R. Feeney (by vote of the town) relative to the charter school reimbursement rate for the town of Foxborough. To the committee on Education.

Foxborough,—charter school reimbursement.

By Representative Dykema of Holliston and Senator Spilka, a joint petition (accompanied by bill, House, No. 4258) of Carolyn C. Dykema and Karen E. Spilka (by vote of the town) that the town of Hopkinton be authorized to establish a means-tested senior citizen property tax exemption in said town. To the committee on Revenue.

Hopkinton,—senior property tax exemption.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative McKenna of Webster and Senator Fattman, a joint petition (subject to Joint Rule 12) of Joseph D. McKenna, Ryan C. Fattman and others relative to trafficking certain illegal drugs and firearms.

Illegal drugs and firearms.

By Mr. Scibak of South Hadley, a petition (subject to Joint Rule 12) of John W. Scibak for legislation to establish a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department.

Bethany Ryan,—sick leave.

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

Papers from the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2318) of James B. Eldridge, Barbara A. L'Italien, David M. Rogers, Diana DiZoglio and other members of the General Court for legislation to promote health, safety and well-being in the legislature; and

Legislature,—
health and
safety.

Petition (accompanied by bill, Senate, No. 2319) of Bruce E. Tarr and Leonard Mirra for legislation to authorize the Department of Fish and Game to acquire a conservation restriction on land of the town of Groveland;

Groveland,—
land.

Severally to the committee on 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 petition of Bud Williams relative to the inspection of certain piping during home inspections and home energy audits. Under suspension of the rules, on motion of Mr. Williams of Springfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Home energy
audits,—
piping.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on House, Nos. 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 383, 384, 385, 386, 387, 388, 389, 390, 2079, 2081, 2082, 2083, 2084, 2085, 2086, 2088, 2089, 2090, 2092, 2093, 2094, 2095, 2096, 2097, 2100, 2101, 2102, 2103, 2104, 2106, 2107, 2896, 2897, 2899, 2900, 2901, 2902, 2903, 2904, 3140, 3484, 3485, 3486, 3559, 3560, 3672, 3700, 3716, 3745, 3838, 3861 and 3872, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain House documents concerning election laws (House, No. 4252) [Representatives Boldyga of Southwick and Lombardo of Billerica dissenting]. Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Election
laws,—
study.

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.

Mr. Galvin of Canton, for said committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 390) of William M. Straus and Michael F. Rush relative to elections to fill vacancies in certain county positions,— and recommending that the same be recommitted to the committee on Election Laws.

County
positions,—
elections.

Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to credible service for VISTA volunteers (House, No. 1427).

VISTA
volunteers.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill providing for equitable armed forces paid leave benefits for public employees (House, No. 1430).

Armed forces,—
paid leave.

By the same member, for the same committee, on Senate, No. 1393 and House, No. 1435, a Bill relative to the veteran allowance for public retirees (House, No. 1435).

Public retirees,—
veteran
allowance.

By the same member, for the same committee, on Senate, No. 1461 and House, No. 1445, a Bill relative to surviving family of emergency medical technicians (House, No. 1445).

EMTs,—
benefits.

By the same member, for the same committee, on a petition, a Bill establishing a municipal bulk purchasing program for industrial washing machines for fire departments (House, No. 3520).

Fire departments,—
washing machines.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill to increase residency preference for appointment at Boston Police Department and Boston Fire Department to three years (House, No. 3537) [Local Approval Received].

Boston,—
residency
preference.

By the same member, for the same committee, on a petition, a Bill relative to accidental disability retirement for Jan Witkowski (House, No. 3790).

Jan Witkowski,—
benefits.

By the same member, for the same committee, on a petition, a Bill to establish an early retirement incentive program for Barnstable County (House, No. 4107).

Barnstable
County.

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

Engrossed Bill.

The engrossed Bill relative to a Wareham Redevelopment Authority (see Senate, No. 2145, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At seven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until two o'clock P.M.; and at three minutes after two o'clock the House was called to order with the Speaker in the Chair.

Recess.

Distinguished Guests of the House.

Prior to the start of a *Black History Month Celebration recognizing the 150th Anniversary of the Birth of W.E.B. Du Bois*, the Speaker introduced Senate President Harriett L. Chandler and Senators Boncore, Chang-Diaz and Rush.

Distinguished
Guests of the
House.

A Black History Month Celebration.

The Speaker declared a recess subject to the call of the Chair; and there being

150th anniversary
of the birth of

no objections offered brief remarks on a Black History Month Celebration on the occasion of the 150th anniversary of the birth of W.E.B. Du Bois.

W.E.B. Du Bois,—
ceremony.

Messrs. Moran of Lawrence, Chair of the Black and Latino Legislative Caucus, and Pignatelli of Lenox, each of whom took the Chair, offered introductory remarks on the occasion.

The Speaker then recognized Dr. David Levering Lewis, a Pulitzer Prize winning biographer and New York University history professor emeritus. Dr. Lewis addressed the House to reflect on the life, accomplishments, writings and societal impact of W.E.B. Du Bois.

Mr. Rushing of Boston took the Chair and offered closing remarks.

Adam Littlejohn Jr. of Saint Mark's Congregational Church then led the members, guests and employees in the singing of *Lift Every Voice and Sing*.

Lift Every
Voice and Sing.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Prior to the noon recess, Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill to protect access to confidential healthcare (Senate, No. 2296, amended), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4256. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Confidential
healthcare,—
access.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2296, amended) was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Hogan of Stow, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Mrs. Orrall of Lakeville moved to amend it by adding the following section:

“SECTION 4. Nothing in this act shall supersede any general or special law related to the informed consent of minors.”.

The amendment was adopted.

Mr. Lombardo of Billerica then moves to amend the bill by adding the following section:

“SECTION 5. the inserting text of Chapter 176O, section 27 paragraph (e) lines 39 through 45 of SECTION 1 by striking paragraph (e) and inserting in place thereof the following:—

(e) Carriers shall not specify or describe sensitive health care services in a common summary of payments form. The division shall define sensitive health care services for the purposes of this section. In determining that definition, the division shall consider the recommendations of the National Committee on Vital and Health Statistics and similar regulations in other states and shall consult with experts. The definition of sensitive health care shall exclude infectious disease, reproductive and sexual health, a minor receiving care for domestic violence or sexual assault, and

UNCORRECTED PROOF.

mental health or substance use disorders.”

The amendment was rejected.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Ms. Hogan of Stow; and on the roll call 139 members voted in the affirmative and 14 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 313.

[See Yea and Nay No. 313 in Supplement.]

Therefore the bill (Senate, No. 2296, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House [for text of amendment, see House document numbered 4256, amended].

Order.

The Speaker being in the Chair,—

On motion of Mr. Mariano of Quincy,—

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

Next
sitting.

The Speaker moved that when the House adjourns today, it do so in respect to the memory of Peter V. Kocot, a member of the House from Northampton from 2002 to 2018, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-one minutes before four o'clock P.M., on motion of Mr. Hill of Ipswich, the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MARCH 1, 2018.

[25]

JOURNAL OF THE HOUSE.

Thursday, March 1, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of the Present Moment, we pray for our House membership and for the many persons who work in and around the State House.

Prayer.

God of Serenity, God of Turbulence, we thank You for the wonderful weather we enjoy today and we ask You to be with the citizens of our Commonwealth as we prepare for a major storm that approaches during a period of higher tides than usual.

We remember those from the picturesque coastal town of Scituate as today marks the anniversary of the birth of one of the original Supreme Court Justices, William Cushing. Born in Scituate in 1732, a graduate of Harvard College, Cushing was the first Chief Justice of Massachusetts following the Revolutionary War. Cushing's ruling in favor of slave Quock Walker established the basis for ending slavery in Massachusetts on constitutional grounds.

Cushing was appointed to the U.S. Supreme Court by President George Washington in 1789. He administered the oath of office to Washington for his second term. A few years later, Justice Cushing declined President Washington's nomination to be the Chief Justice. He went on to serve the Court for almost 21 years. He was the last Supreme Court Justice to wear the red robe and powdered wig. Justice William Cushing lies buried in Cushing State Park, the smallest of all Massachusetts state parks.

We therefore remember in thought and prayer today 3rd Plymouth District Representative Joan Meschino and her staff.

May God continue to bless our Commonwealth.

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.

Special Report.

A special report of the Counsel to the House of Representatives (under the provisions of House Order numbered 3983) submitting comprehensive review of all structures, policies, procedures and operations of the human resources function for the House of Representatives including those that relate to ensuring a workplace free of sexual harassment and retaliation (for report see House document numbered 4263), was placed on file.

Human resources policies,— report.

Petitions.

UNCORRECTED PROOF.

Representative Vincent of Revere and Senator Boncore presented a joint petition (accompanied by bill, House, No. 4264) of RoseLee Vincent and Joseph A. Boncore (with the approval of the mayor and city council) relative to the tenure of office of the city clerk of the city of Revere; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Revere,—
city clerk.

Mr. Murray of Milford presented a petition (subject to Joint Rule 12) of Brian Murray and others relative to retrofitting diesel-powered vehicles with devices, smoke stacks or other equipment that enhances the vehicle's capacity to emit soot, smoke or other particular emissions; and the same was referred, under Rule 24, to the committee on Rules.

Vehicle
emissions.

Paper from the Senate.

The following order (having been approved by the committees on Rules of the two branches, acting concurrently), came from the Senate with the endorsement that it had been adopted by said branch:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing shall make final report not later than the last Wednesday of April of the second annual session on all matters referred to them on or before the fourth Wednesday of March and within 30 days on all matters referred to it after the fourth Wednesday in March of the second annual session of the General Court.

Health Care
Financing,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Roy of Franklin, the order (Senate, No. 2321), was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

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

Relative to principle-based reserving for life insurance (House, No. 2969);

Authorizing the town of Boylston to convey a certain parcel of land (House, No. 4197) [Local Approval Received];

Authorizing the Bristol County Commissioners to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at Bristol County Agricultural School in the town of Dighton (House, No. 4227); and

Establishing a sick leave bank for Essie Page, employee of the Massachusetts Parole Board (House, No. 4245);

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

Life insurance.
Boylston, —
land.
Dighton, —
Bristol County
Agricultural School.
Essie Page, —
sick leave.

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 3543) of Byron Rushing, Mike Connolly and others for legislation to establish the Massachusetts infrastructure bank,— and recommending that the same be referred to the committee on Financial Services.

Infrastructure
bank.

Of the petition (accompanied by bill, Senate, No. 88) of Joan B. Lovely and

Small business,—

UNCORRECTED PROOF.

Bruce E. Tarr for legislation relative to encouraging the growth of small businesses; and

growth.

Of the petition (accompanied by bill, House, No. 1970) of Gailanne M. Cariddi and others relative to certain business entities registered with the Secretary of the Commonwealth and in good standing;

Businesses,—
standing.

And recommending that the same severally be referred to the committee on Labor and Workforce Development.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 158) of Kenneth I. Gordon and others relative to social media consumer privacy protection,— and recommending that the same be referred to the committee on Labor and Workforce Development.

Consumer
privacy,—
social media.

By Misss Gregoire of Marlborough, for the committee on Elder Affairs, asking to be discharged from further consideration:

Of the petition (accompanied by bill, Senate, No. 340) of Jennifer L. Flanagan for legislation relative to the safe care of residents with active substance use disorder accessing skilled nursing facility care; and

Nursing facilities,—
substance
use disorder.

Of the petition (accompanied by bill, House, No. 2073) of Thomas A. Golden, Jr., Rady Mom and Josh S. Cutler relative to the care of residents with active substance use disorders accessing skilled nursing facility care;

Id.

And recommending that the same severally be referred to the committee on Mental Health, Substance Use and Recovery.

Of the petition (accompanied by bill, Senate, No. 338) of Kenneth J. Donnelly and Bud Williams for legislation relative to public health,— and recommending that the same be referred to the committee on Public Health.

Public
health.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1773) of William M. Straus relative to wireless transmissions to and from motor vehicles,— and recommending that the same be referred to the committee on Transportation.

Motor
vehicles,—
wireless
transmissions.

By Mr. Straus of Mattapoisett, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2748) of Harold P. Naughton, Jr., for legislation to expand the “move over law”, so-called, to include vehicles operated by civilians,— and recommending that the same be referred to the committee on Public Safety and Homeland Security.

Move
over law,—
expansion.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Parisella of Beverly, for the committee on Public Service, on Senate, No. 1486 and House, No. 1386, a Bill relative to amending disability or death caused by certain conditions of cancer (House, No. 1386).

State Police,—
benefits.

By the same member, for the same committee, on Senate, No. 2045 and House, No. 1389, a Bill relative to veteran retirement benefits (House, No. 1389).

Veterans,—
benefits.

By the same member, for the same committee, on a petition, a Bill relative to ensuring fairness in public employee workers compensation benefits (House, No. 2573).

Workers
compensation.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on Senate, No. 1442 and House, No. 1390, a Bill relative to protecting the rights of custodial

School
employees,—

UNCORRECTED PROOF.

and other non-teaching employees of school districts (House, No. 1390).

By the same member, for the same committee, on a petition, a Bill providing for an early retirement incentive program for employees of the Massachusetts Port Authority (House, No. 2566).

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

rights.
MassPort,—
early retirement.

Orders of the Day.

The Senate amendments of the House Bill establishing regional commissions on the status of women (House, No. 1110, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Status of women,—
regional
commissions.

The Senate amendments of the House Bill relative to candidates for mayor and city council in Framingham (printed in House, No. 4046), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

City council
and mayoral
candidates,—
reporting.

House bills

Authorizing the treasurer of Plymouth County to transfer certain funds (House, No. 4034); and

Establishing a sick leave bank for Lauri Smith-Bopp, an employee of the Department of Revenue (House, No. 4154);

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.

Plymouth
County.
Lauri Smith-
Bopp,—
sick leave.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At six minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 5, 2018.

[26]

JOURNAL OF THE HOUSE.

Monday, March 5, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice, we turn to You at the beginning of this week to ask Your blessing upon the women and men of this House chamber. Bless our elected officials and their staff. Help them to accomplish the work that lies ahead of them in committees and hearings.

Prayer.

Today we remember that on this day in 1770 five colonists were shot to death in front of the old State House in what eventually became known as the Boston Massacre.

Hard feelings had been building against the presence of the Regulars who had engaged the colonists in verbal and physical fights for weeks beforehand. On March 5th, a large crowd faced off against armed British soldiers and pelted them with snowballs and rocks. Amidst the shouting, it is believed that the soldiers thought they heard the command to fire their weapons.

Among the first to die was Crispus Attucks, who escaped from a life of slavery in nearby Framingham 27 years earlier and had been a laborer on whaling ships. A monument stands on Boston Common commemorating this historic event.

May God continue to bless our Commonwealth.

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 Prayer.

At the request of Mr. Kafka of Stoughton, the members, guests and employees then stood in a moment of silence in honor of the late Michael Selsman of Sharon. Mike was a devoted husband to his wife Kara and the extremely proud father of their sons Adam and Jacob. In 2012, after being diagnosed with Stage IV breast cancer, Mike worked tirelessly to raise awareness of the risk of breast cancer in men, inspiring the passage of Chapter 276 of the Acts of 2012, which established Male Breast Cancer Awareness Week as the third week in October. He will be greatly missed by all who knew him, including his colleagues at the Jewish Community Relations Council of Boston and his friends and neighbors in Sharon.

Michael Selsman.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2018 to provide for supplementing certain existing

Supplemental appropriations.

UNCORRECTED PROOF.

appropriations and for certain other activities and projects (House, No. 4284), was filed in the office of the Clerk on Friday, March 2.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Statement of Representative Khan of Newton.

A statement of Ms. Khan of Newton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not present in the House Chamber for the taking of yea and nay, No. 313, on Wednesday, March 28, 2018, on the question on passing to be engrossed, in concurrence, the Senate Bill to protect access to confidential healthcare (Senate, No. 2296, amended). Had I been present, I would have voted in the affirmative.

Statement of
Ms. Khan
of Newton.

Resolutions.

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

Resolutions (filed by Messrs. Jones of North Reading and Dwyer of Woburn) commemorating the Girl Scouts of the town of Reading on celebrating its one hundredth anniversary;

Reading,—
Girl Scouts.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Noah O. Foley on receiving the Eagle Award of the Boy Scouts of America;

Noah
Foley.

Resolutions (filed by Representatives Fernandes of Falmouth, Vieira of Falmouth, Hunt of Sandwich, Crocker of Barnstable, Whelan of Brewster and Peake of Provincetown) congratulating Catherine D'Amato on her recognition from the Cape Cod Council of Churches;

Catherine
D'Amato.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Christopher James Fitzgerald on receiving the Eagle Award of the Boy Scouts of America; and

Christopher
Fitzgerald.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Colin Mogan Snow on receiving the Eagle Award of the Boy Scouts of America;

Colin
Snow.

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

Annual Report.

The annual report of the Multi-Agency Illegal Tobacco Task Force established (under Section 40(d) of Chapter 64C of the General Laws) to coordinate efforts to combat contraband tobacco distribution, including efforts to foster compliance with the law and conduct targeted investigations and enforcement actions against violators, was placed on file.

Multi-Agency
Illegal Tobacco
Task Force.

Petitions.

Mr. Rushing of Boston presented a petition (accompanied by bill, House, No.

Boston,—
housing.

4288) of Byron Rushing (with the approval of the mayor and city council) relative to certain affordable housing in the Roxbury section of the city of Boston; and the same was referred to the committee on Housing. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Cahill of Lynn, a petition (subject to Joint Rule 12) of Daniel Cahill for legislation to authorize rental grow facilities for marijuana plant cultivation.

Marijuana,—
cultivation.

By Representative Chan of Quincy and Senator Keenan, a joint petition (subject to Joint Rule 12) of Tackey Chan, John F. Keenan and others for legislation to designate the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley.

Quincy,—
McCauley
maritime
center.

By Ms. Matias of Lawrence, a petition (subject to Joint Rule 12) of Juana Matias and others relative to communications and interactions of law enforcement agencies with federal immigration enforcement agencies.

Immigration
agencies.

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

Papers from the Senate.

The following order (having been approved by the committees on Rules of the two branches, acting concurrently), came from the Senate with the endorsement that it had been adopted by said branch:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until March 15, 2018, within which time to make its final report on current Senate documents numbered 1938, 1945, 2002, and 2006, and House documents numbered 1822, 1829, 1897, 2742, 3417, and 3422, relative to transportation matters.

Transportation,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Straus of Mattapoissett, the order (Senate, No. 2323), was considered forthwith; and it was adopted, in concurrence.

Bills

Relative to the University of Massachusetts' ability to insure buildings (Senate, No. 2308, amended in lines 3 and 4 by striking out the following: "a building owned or occupied by the university; (ii) the contents of a building owned or occupied by the university; or (iii)"; and inserting in place thereof the following: "a building or its contents if owned by the university or in which the university has an insurable interest; or (ii)") (on Senate bill No. 679);

UMass,—
building
insurance.

Protecting public higher education student information (Senate, No. 2309, amended in line 2 by inserting after the following: "15A" the words ", and municipally owned institutions of higher education") (on Senate bill No. 704);

Higher
education,—
information.

Regulating the closure of state police barracks (Senate, No. 2310, amended in line 18 by inserting after the word "representatives", the first time it appears, the words ", the joint committee on public safety and homeland security") (on Senate bill No. 1314); and

State Police,—
barracks
closures.

Establishing the MassMade program (Senate, No. 2322) (on Senate bill No. 178, amended);

MassMade.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill designating certain bridges in the town of Bourne as the U.S. Army

Bourne,—
Pucino

UNCORRECTED PROOF.

Special Forces Staff Sergeant Matthew A. Pucino memorial bridges (Senate, No. 2316) (on Senate bill No. 2264), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

memorial
bridges.

A petition (accompanied by bill) of Michael J. Rodrigues, Steven S. Howitt and Patricia A. Haddad for legislation to establish a sick leave bank for David Silvia [sic] Jr., an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

David
Silvia,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2324) was referred, in concurrence, to the committee on Public Service.

The following notice was received from the Clerk of the Senate, to wit:—

March 5, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that Honorable Harriette L. Chandler, President of the Senate, has announced leadership and committee appointments that have been ratified by the Majority Party Caucus:

Leadership
and committee
appointments.

Cynthia Stone Creem

- Majority Leader
- Senate Committee on Redistricting, Chair

Sal N. DiDomenico

- Assistant Majority Leader
- Senate Committee on Bills in the Third Reading, Chair
- Senate Committee on Intergovernmental Affairs, Vice-Chair
- Senate Committee on Ways and Means, member

Jason M. Lewis

- Assistant Majority Whip

Joan Lovely

- Senate Committee on Ways and Means, Vice-Chair
- Senate Committee on Intergovernmental Affairs, Chair

Sonia Chang-Diaz

- Senate Committee on Ways and Means, Assistant Vice-Chair

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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

UNCORRECTED PROOF.

the following petitions:

Petition (accompanied by bill) of Timothy R. Whelan, Paul F. Tucker and others for legislation to further regulate certain opioids or any derivative thereof. To the committee on the Judiciary.

Opioid regulation.

Petition (accompanied by bill) of Shawn Dooley and others for legislation to authorize trauma kits, so-called and trained designees in certain public buildings. To the committee on Public Health.

Public buildings,—trauma kits.

Petition (accompanied by bill) of Timothy R. Whelan and others relative to firearms furnished through the civilian marksmanship program. To the committee on Public Safety and Homeland Security.

Firearms,—marksmanship program.

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

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

Relative to membership in an employee organization (House, No. 1003);

Employees.

To clarify penalties for violations occurring while driving with a hardship license (House, No. 1860); and

Hardship licenses.

Protecting motorists and emergency personnel (House, No. 1861);

Speeding,—penalties.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill creating a special commission to study the equity of chapter 21J and 21O (House, No. 2921). Read; and referred, under Rule 29, to the committees on Rules of the two branches acting concurrently.

Petroleum releases,—commission.

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill requiring pain assessment and management in healthcare facilities (House, No. 1181).

Healthcare facilities,—pain assessment.

By the same member, for the same committee, on a petition, a Bill to protect sports medicine professionals (House, No. 1183).

Sports medicine.

By the same member, for the same committee, on a petition, a Bill creating a nursing advisory board (House, No. 1184).

Nursing advisory board.

By the same member, for the same committee, on a petition, a Bill relative to home health and hospice aides (House, No. 1187).

Home and hospice aides.

By the same member, for the same committee, on a petition, a Bill relative to nurse licensure compact in Massachusetts (House, No. 1188).

Nurse licensure compact.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill to provide diabetes prevention program benefits (House, No. 1362).

Diabetes prevention.

By the same member, for the same committee, on a petition, a Bill providing a bone marrow registry for firefighter candidates (House, No. 1444).

Firefighters,—marrow registry.

By the same member, for the same committee, on a petition, a Bill pertaining to firefighter disability (House, No. 1446).

Firefighters,—disability.

By the same member, for the same committee, on a petition, a Bill relative to Parkinson's disease disability and death in firefighters (House, No. 1455).

Firefighters,—Parkinson's.

By the same member, for the same committee, on a petition, a Bill concerning health insurance benefits for surviving spouses of firefighters in the city of Boston

Boston,—surviving

UNCORRECTED PROOF.

(House, No. 4057) [Local Approval Received].

By the same member, for the same committee, on House, No. 1352, a Bill relative to public hearings of the Group Insurance Commission (House, No. 4259).

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the siting of facilities dealing with refuse (House, No. 422).

By the same member, for the same committee, on a petition, a Bill relative to underground storage tank remediation (House, No. 429).

By the same member, for the same committee, on a petition, a Bill establishing a department of environmental protection appeals board (House, No. 437).

By the same member, for the same committee, on a petition, a Bill to promote healthy communities and the environment (House, No. 446).

By the same member, for the same committee, on a petition, a Bill to improve water quality and pollution control programs (House, No. 2139).

By the same member, for the same committee, on a petition, a Bill preserving public trust rights in land affected by ocean erosion (House, No. 2150).

By the same member, for the same committee, on Senate, No. 426 and House, No. 2913, a Bill relative to environmental justice and toxics reduction in the Commonwealth (House, No. 2913) [Senator Fattman dissenting].

By the same member, for the same committee, on Senate, No. 488 and House, No. 2906, a Bill further regulating the processing of lobsters (House, No. 4269).

By the same member, for the same committee, on House, No. 3562, a Bill to study the health of the Blue Hills Forest and ecology to inform long-term reservation management (House, No. 4270).

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 3454, a Bill regulating and insuring short-term rentals (House, No. 4287).

By Mr. Parisella of Beverly, for the committee on Public Service, on Senate, No. 1467 and House, No. 1424, a Bill expanding credible service to certain veterans (House, No. 1424, changed by adding the following sentence: "The maximum creditable service allowable under this paragraph for any member shall not exceed four years.").

By the same member, for the same committee, on Senate, No. 1433 and House, No. 1463, a Bill relative to the retirement of University of Massachusetts police (House, No. 1463).

By the same member, for the same committee, on a petition, a Bill relative to special investigators of the Alcohol Beverage Control Commission (House, No. 2536).

By the same member, for the same committee, on a petition, a Bill relative to Trial Court reporters (House, No. 2537).

By the same member, for the same committee, on Senate, No. 1483 and House, No. 2560, a Bill relative to victim witness advocate retirement classification (House, No. 2560).

By the same member, for the same committee, on Senate, No. 1430 and House, No. 2564, a Bill further regulating group insurance benefits for state employees and retired state employees (House, No. 2564).

By the same member, for the same committee, on Senate, No. 1392 and House, No. 3677, a Bill relative to the retirement classification of certain Plymouth County

spouses.
GIC,—
public hearings.

Refuse
facilities,—
siting.

Underground
storage tanks.

Environmental
appeals board.

Waste
disposal.

Water quality and
pollution control.

Ocean
erosion.

Toxics
reduction.

Lobsters,—
processing.

Blue Hills
Forest,—
management.

Short-term
rentals,—
regulations.

Veterans,—
credible
service.

UMASS
police,—
retirement.

ABCC,—
investigators.

Trial Court,—
reporters.

Victim witness
advocates,—
classification.

Insurance
benefits.

Plymouth County
Sheriff,—

UNCORRECTED PROOF.

Sheriff's Department employees (House, No. 3677).

By the same member, for the same committee, on House, No. 3279, a Bill relative to survivor retirement benefits (House, No. 4260).

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 3850, a Bill authorizing the transfer of care and control of certain parcels of land in Middleborough from the Department of Corrections to the Department of Fish and Game (House, No. 4261).

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to improve child safety (House, No. 3657).

By Mr. Parisella of Beverly, for the committee on Public Service, on Senate, No. 1434 and House, No. 1460, a Bill relative to Mass Port [sic] police officers (House, No. 1460).

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 4089, a Bill authorizing the city of Newton to lease the John W. Weeks School for a term of years not exceeding ninety-nine years and to grant a lease extension to the current lessee of the former John W. Weeks School without undertaking a procurement process (House, No. 4262) [Local Approval Received].

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

Emergency Measures.

The engrossed Bill establishing regional commissions on the status of women (see House, No. 1110, 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.

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 sent to the Senate.

The engrossed Bill establishing a sick leave bank for Alyssa Nelson, an employee of the Massachusetts Office for Victim Assistance (see House, No. 4239), 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.

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 sent to the Senate.

The engrossed Bill designating the month of March as Massachusetts Maple Month (see House, No. 4246), having been certified by the Clerk to be rightly and

classification.

Survivors
benefits.

Middleborough,—
land.

Police reports,—
access.

MassPort
police,—
retirement.

Newton,—
Weeks
School lease.

Status of
women,—
commissions.

Bill
enacted.

Alyssa
Nelson,—
sick leave.

Bill
enacted.

Maple
month.

UNCORRECTED PROOF.

truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

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 sent to the Senate.

Bill enacted.

The engrossed Bill relative to reporting requirements for candidates for the office of mayor and city council in certain cities (see House bill printed in House, No. 4046, 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.

Mayor and city council,—
reporting requirements.

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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Expanding the powers of the Baker Hill Road District in the town of Lanesborough to include economic development efforts (see House, No. 3760); and

Bills enacted.

Designating a certain bridge in the City of Chelsea as the John P. Bruttaniti Memorial Bridge (see House, No. 4072);

(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.

Senate bills

Authorizing the board of selectmen of Hardwick to appoint the town collector (Senate, No. 2114); and

Third reading bills.

Authorizing the board of selectmen of Hardwick to appoint the town treasurer (Senate, No. 2115);

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

At nineteen minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, MARCH 6, 2018.

[27]

JOURNAL OF THE HOUSE.

Tuesday, March 6, 2018.

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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Fernandes of Falmouth and other members of the House) supporting the funding for the National Sea Grant college program, were referred, under Rule 85, to the committee on Rules.

National Sea
Grant college
program.

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.

Communications.

Communications

From the Division of Health Professions Licensure (see Section 3B of Chapter 7 of the General Laws) providing notice of new fees for community health worker certification;

Community
health
workers.

From the Executive Office of Public Safety and Security (see Section 18¾ of Chapter 6A of the General Laws) submitting the biennial report on statistics related to firearms crimes, arrests and prosecutions of firearms-related offenses, the effectiveness of firearms-related regulations, aggregate data on the source of firearms that have been confiscated and identified as being used in a crime or in an attempted or completed suicide during the report period and other related matters;

Firearms,—
crime, etc.
statistics.

From the Massachusetts Food Policy Council (see Section 6C of Chapter 20 of the General Laws) submitting its annual report, including attachments, on the priorities from the council's ongoing work related to the Massachusetts Local Food Action Plan; and

Food Policy
Council.

From the Norfolk County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure of technological improvements from the County Registers Technological Fund [copies of said report forwarded to the committee on Ways and Means and committee on Post Audit and Oversight];

Norfolk County
Registry of
Deeds,—
technology
report.

Severally were placed on file.

Matter Taken from the Files.

UNCORRECTED PROOF.

On motions of Mr. DeLeo of Winthrop, the special report of the Counsel to the House of Representatives (as authorized under House order No. 3983) submitting recommendations for updating the structures, policies, procedures and operations of the human resources function for the House of Representatives, including those that relate to ensuring a workplace free of sexual harassment and retaliation (House, No. 4263), was taken from the files; and, on motion of the same member, it was referred to the committee on Rules.

House of Representatives,—
human resource policies.

Paper from the Senate.

A Bill relative to the charter of the town of Sutton (Senate, No. 1131, amended in line 162 by striking out the figure: “4” and inserting in place thereof the figure: “3”, in lines 211 and 212 by striking out the following: “50 per cent of the total number of persons who voted at the most recent annual town election” and inserting in place thereof the following: “20 per cent of the qualified voters of the town as of the date that the affidavit was filed with the town clerk.”; and in lines 336 and 337 by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “Three members shall be elected by the voters, 1 member shall be a tenant of the housing authority appointed by the board of selectmen and 1 member shall be appointed by the department of housing and community development.”) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Sutton,—
charter.

Reports of Committees.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, Nos. 640 and 2225, a Bill relative to strengthening and expanding affordable, quality higher education opportunities for residents of the Commonwealth (House, No. 640). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Expanding education.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 1191 and House, No. 439, a Bill relative to the disclosure of toxic chemicals in children’s products (House, No. 439, changed in line 19 by striking out the words “or commercial”; and in line 114 by striking out the word “July” and inserting in place thereof the word “December”).

Toxic chemicals.

By the same member, for the same committee, on House, No. 2120, a Bill relative to the control of tick-borne illness (House, No. 4275).

Tick-borne illness.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, Nos. 634, 2995 and 2999, a Bill creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities (House, No. 4286).

Education opportunities.

By Ms. Hogan of Stow, for the committee on Public Health, on House, No. 1191, a Bill relative to expanding access to healthy food choices in vending machines on state property (House, No. 4281).

Healthy food.

By the same member, for the same committee, on House, No. 3243, a Bill to amend the lead law to include water piping (House, No. 4282).

Lead law.

By the same member, for the same committee, on House, No. 3249, a Bill relative to HIV screening and prevention (House, No. 4283).

HIV screening.

UNCORRECTED PROOF.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 492 and House, Nos. 465, 466 and 467, a Bill relative to the conservation of Atlantic striped bass (House, No. 4274). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Striped bass,—
conservation.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to reform the Toxic Use Reductions Act (House, No. 2934, changed in lines 11, 25 and 26 by striking out the word “six” and inserting in place thereof, in each instance, the word “four”).

Toxic use
reduction.

By the same member, for the same committee, on House, No. 440, a Bill establishing a green banks program (House, No. 4273).

Green
banks.

By the same member, for the same committee, on House, No. 2152, a Bill relative to a cranberry wetland mitigation bank (House, No. 4276).

Cranberry
wetlands.

By the same member, for the same committee, on House, Nos. 2916 and 2917, a Bill establishing a special commission on municipal solid waste (House, No. 4277).

Solid
waste.

By the same member, for the same committee, on House, No. 2930, a Bill relative to wood pellet fuel (House, No. 4278).

Pellet
fuel.

By the same member, for the same committee, on House, No. 3561, a Bill relative to the importation of animals for rescue, shelter, foster, adoption or remote sale (House, No. 4279).

Shelter
animals.

By the same member, for the same committee, on Senate, No. 2163 and House, No. 3902, a Bill establishing the Cape Cod water protection trust (House, No. 4280).

Cape Cod
water.

By Mr. Honan of Boston, for the committee on Housing, on House, No. 4075, a Bill to promote housing choices (House, No. 4290) [Representative Tyler of Boston dissenting].

Housing
choices.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 3976, a Bill authorizing the town of Lynnfield to grant additional licenses for the sale of all alcoholic beverages (House, No. 4289) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lynnfield,—
alcoholic
beverages.

Engrossed Bills.

Engrossed bills

Authorizing the board of selectmen of Hardwick to appoint the town collector (see Senate, No. 2114); and

Bills
enacted.

Authorizing the board of selectmen of Hardwick to appoint the town treasurer (see Senate, No. 2115);

(Which severally originated in the Senate);

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.

House bills

Increasing the maximum age to be eligible for appointment as a special police officer in the city of Somerville (House, No. 4085); and

Third
reading
bills.

Establishing a sick leave bank for Essie Page, an employee of the Parole Board (House, No. 4245) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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. DeLeo of Winthrop,—

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

Next
sitting.

At nine minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Friday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



FRIDAY, MARCH 9, 2018.

[28]

JOURNAL OF THE HOUSE.

Friday, March 9, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice, we pray for our elected members of this House and for their staff. We pray for those employees who keep this historic edifice operating, who keep the lights on, the heat circulating, the water pumping and who maintain all the many daily operations we often take for granted.

Prayer.

God of Compassion, we pray today for those almost 200,000 citizens in our Commonwealth who are in the cold, still without power after Wednesday's storm.

We remember that it was on this day in 1874 that the Plymouth County town of Rockland was incorporated. Rockland was originally settled by Massachusetts Bay colonists in 1673. The first residents came to name their town easily as the land was not suitable for farming. As a result, Rockland came to build factories as the Industrial era came to fruition. It is believed that Rockland factories were responsible for more than half the shoes worn by Union soldiers during the Civil War.

We pray today for Fifth Plymouth District Representative David DeCoste and his staff. May God continue to bless our Commonwealth.

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.

Resignation of Representative Crighton of Lynn.

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

March 7, 2018

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

Dear Mr. Clerk:

I am writing at this time to resign as a member of the House of Representatives, representing the people of the 11th Essex District. It has been my

Resignation of
Representative

distinct honor to have served as a member of the House of Representative for the 11th Essex District since 2015.

Brendan P. Crighton of Lynn.

During my time in the House, it has been my distinct pleasure to serve the people of Lynn and Nahant, and to advocate for issues that have had an impact on their lives for the better. I look forward to continue serving the constituents of Lynn, Nahant, Swampscott, Marblehead, Lynnfield and Saugus as State Senator of the 3rd Essex District. With this letter, I resign as State Representative from the 11th Essex District as of noontime on March 7, 2018.

Thank you.

Sincerely,
BRENDAN P. CRIGHTON
11th Essex District.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Cameron Donald Lake on receiving the Eagle Award of the Boy Scouts of America;

Cameron Lake.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Marco D’Angio on receiving the Eagle Award from the Boy Scouts of America;

Marco D’Angio.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Gregory Fleming on receiving the Eagle Award from the Boy Scouts of America;

Gregory Fleming.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Matthew Montalto on receiving the Eagle Award from the Boy Scouts of America;

Matthew Montalto.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Sean Ross on receiving the Eagle Award from the Boy Scouts of America;

Sean Ross.

Resolutions (filed by Mr. Walsh of Peabody) congratulating James Lucas Dean on receiving the Eagle Award of the Boys Scouts of America;

James Dean.

Resolutions (filed by Mr. Walsh of Peabody) congratulating James Patrick Murphy on receiving the Eagle Award of the Boys Scouts of America;

James Murphy.

Resolutions (filed by Mr. Walsh of Peabody) congratulating Domenic Anthony Ruocco on receiving the Eagle Award of the Boys Scouts of America;

Domenic Ruocco.

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

Communications.

Communications

From the Department of Telecommunications and Cable (see Section 6 of Chapter 25C of the General Laws) submitting the annual report for said department for the fiscal year 2017; and

Telecommunications and Cable.

From the Department of Elementary and Secondary Education (see Section 127 of Chapter 47 of the Acts of 2017) submitting a report on the fiscal conditions in rural school districts;

Rural schools,—fiscal conditions.

Severally were placed on file.

Annual Report.

The annual report of Rural Policy Advisory Commission submitted (under Section 66 of Chapter 23A of the General Laws) by the Department of Housing and Community Development for the fiscal year 2017 [a copy was forwarded to the committee on Economic Development and Emerging Technologies], was placed on file.

Rural Policy
Advisory
Commission.

Petition.

Representative Cahill of Lynn and Senator Crighton presented a joint petition (subject to Joint Rule 12) of Daniel Cahill and Brendan P. Crighton (with the approval of the mayor and city council) that the city of Lynn be authorized to amend the charter of said city; and the same was referred, under Rule 24, to the committee on Rules.

Lynn,—
charter.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Honan of Boston, 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.

Papers from the Senate.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill Senate, No. 2334) of Barbara A. L'Italien for legislation to extend voting protection to early voting. To the committee on Election Laws.

Early
voting.

Petition (accompanied by bill Senate, No. 2336) of Barbara A. L'Italien, Andres X. Vargas, Sonia Chang-Diaz, Diana DiZoglio and other members of the General Court for legislation to protect consumers by prohibiting blocking, throttling, or paid prioritization in the provision of internet service. To the committee on Telecommunications, Utilities and Energy.

Net
neutrality.

Petition (accompanied by bill, Senate, No. 2335) of Barbara A. L'Italien for legislation to rename a certain bridge over route 38 on interstate 495; and

Tewksbury,—
Tarentino bridge.

Petition (accompanied by bill Senate, No. 2337) of Barbara A. L'Italien, Steven Ultrino, Carmine L. Gentile, James T. Welch and other members of the General Court for legislation to ensure access to state IDs for low-income people;

Low-income,—
identification.

Severally to the committee on Transportation.

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 Ruth B. Balsler, Cynthia Stone Creem and

Kosher
certification.

UNCORRECTED PROOF.

Rachmiel Liberman relative to the revocation of kosher certification; and

Joint petition (accompanied by bill) of Paul W. Mark and Adam G. Hinds that the town of Dalton be authorized to convey certain parcels of land to the Department of Fish and Game;

Dalton,—
land.

Severally to the committee on Environment, Natural Resources and Agriculture.

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

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

The Senate Bill designating certain bridges in the town of Bourne as the U.S. Army Special Forces Staff Sergeant Matthew A. Pucino memorial bridges (Senate, No. 2316); and

Bourne,—
bridges.

House bills

Relative to anti-litigation provisions in condominium documents (House, No. 4235);

Condominiums,—
documents.

Relative to construction defect claims by condominium owners (House, No. 4236); and

Condominiums,—
defects.

Authorizing the city of Newton to lease the John W. Weeks School for a term of years not exceeding ninety-nine years and to grant a lease extension to the current lessee of the former John W. Weeks School without undertaking a procurement process (House, No. 4262) [Local Approval Received];

Newton,—
lease.

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Bill to eliminate unnecessary laws (House, No. 1680),— 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.

Review laws—
commission.

By Mr. Honan of Boston, for the committee on Housing, on House, No. 4167, an Order relative to authorizing the committee on Housing to make an investigation and study of a certain House document concerning condominium law (House, No. 4294) [Senator O'Connor and Representative Diehl of Whitman dissenting].

Housing,—
study.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 1721, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain House document concerning the state building code (House, No. 4271).

State
Administration
and Regulatory
Oversight,—
study.

By Mr. Lawn of Watertown, for the committee on Veterans and Federal Affairs, on House, Nos. 1926 and 1929, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of certain House documents concerning a United States constitutional amendment and amendments convention (House, No. 4272).

Veterans and
Federal Affairs,—
study.

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

Subsequently, 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 Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to familial dysautonomia (House, No. 75).

Familial
dysautonomia.

By the same member, for the same committee, on a petition, a Bill relative to health disparities council (House, No. 86).

Health disparities
council.

By the same member, for the same committee, on a petition, a Bill relative to individuals with intellectual or developmental disabilities (House, No. 98).

Individuals with
disabilities.

By the same member, for the same committee, on House, Nos. 92 and 122, a Bill to establish an office of youth development (House, No. 122, changed in section 1, in line 18, by inserting after the word “Springfield” the word “Brockton”).

Office of youth
development.

By Ms. Hogan of Stow, for the committee on Public Health, on House Nos. 1169, 1174 and 2463, a Bill ensuring consumer choice and equal access to eye care (House, No. 1169).

Eye care.

By the same member, for the same committee, on a petition, a Bill relative to a special commission to study electric and magnetic fields (House, No. 1192).

Magnetic fields,—
study.

By the same member, for the same committee, on a petition, a Bill recognizing pharmacists as healthcare providers (House, No. 1214).

Pharmacists.

By the same member, for the same committee, on a petition, a Bill promoting radon testing (House, No. 1215).

Radon
testing.

By the same member, for the same committee, on a petition, a Bill relative to conducting fetal and infant mortality review (House, No. 1219).

Infant
mortality.

By the same member, for the same committee, on a joint petition, a Bill relative to the restoration of MassHealth adult dental benefits (House, No. 1225).

Dental
benefits.

By the same member, for the same committee, on a petition, a Resolve to re-establish the Brain Injury Commission (House, No. 1956).

Brain Injury
Commission.

By the same member, for the same committee, on a petition, a Bill relative to best management practices for wireless in schools and public institutions of higher education (House, No. 2030).

Wireless
internet.

By the same member, for the same committee, on a petition, a Bill relative to facilitating the utilization of psychologists on the health care team (House, No. 2430).

Psychologists.

By the same member, for the same committee, on a petition, a Bill relative to medical peer review (House, No. 2439).

Medical peer
review.

By the same member, for the same committee, on a petition, a Bill relative to protecting senior health (House, No. 2440).

Senior
health.

By the same member, for the same committee, on a petition, a Bill relative to firefighters (House, No. 2447).

Firefighters,—
certification fees.

By the same member, for the same committee, on a petition, a Bill relative to the definition of podiatry (House, No. 2450).

Podiatry,—
definition.

By the same member, for the same committee, on a petition, a Bill to contain health care costs and improve access to value based nurse practitioner care as recommended by the IOM and FTC (House, No. 2451).

Medical
practitioners.

By the same member, for the same committee, on a petition, a Bill relating to liability protection for disaster volunteers (House, No. 2457).

Disaster volunteer
protection.

By the same member, for the same committee, on a petition, a Bill to establish a children’s vision screening registry (House, No. 3224).

Vision screening
registry.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill relative to emergency medical services oversight (House, No. 3237).

Emergency medical services.

By the same member, for the same committee, on a petition, a Bill to increase access to healthcare in underserved areas of Massachusetts (House, No. 3248).

Healthcare access.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill affirming inclusion of people with disabilities on commissions of the Commonwealth (House, No. 112).

Commissions,—
people with disabilities.

By the same member, for the same committee, on a joint petition, a Bill establishing a commission on the status of children and youth (House, No. 1968, changed, in section 1, in line 21, by inserting after the word “Campaign” the words “, the Massachusetts Special Commission on Unaccompanied Homeless Youth”; and in line 22 by inserting after the word “Partnership.” the following sentence: “One member is to be a youth aging out of foster care.”).

Commissions,—
status of children and youth.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 439 and House, No. 2944, a Bill to (1) establish a solid waste management council, (2) to require the Department to increase certain types of data collection; (3) to impose a surcharge on waste disposal; (4) to require municipalities to institute pay as you throw programs if they are generating too much waste for disposal per capita; (5) to require that all waste be disposed of in clear plastic bags; (6) to increase recycling to include mattresses, textiles and additional commercial organic material; and (7) to require secondary markets to report contamination (House, No. 2944).

Waste management council.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to family day care disclosures (House, No. 83).

Day care disclosures.

By the same member, for the same committee, on a petition, a Bill to provide a pilot program for low interest loans to families with a child suffering from a terminal illness (House, No. 88).

Children,—
illness loans.

By the same member, for the same committee, on a petition, a Bill relative to special education funding (House, No. 89).

Special education funding.

By the same member, for the same committee, on a petition, a Bill relative to the tuition of children in department of housing and community development family shelters (House, No. 96).

Family shelters.

By the same member, for the same committee, on a petition, a Bill relative to education or training activities for purposes of meeting the Department of Transitional Assistance work requirement (House, No. 97).

Transitional assistance,—
training.

By the same member, for the same committee, on Senate, No. 67 and House, No. 99, a Bill providing standards for in-home parent coaching (House, No. 99, changed in section 1, in lines 32 and 58, and in section 2, in line 71, by inserting after the word “Trust”, in each instance, the following: “Fund established pursuant to section 50 of chapter 10 of the General Laws”).

Parent coaching.

By the same member, for the same committee, on a petition, a Bill creating a means for tracking the unmet need of individuals with developmental disabilities in the Commonwealth of Massachusetts (House, No. 100).

Developmental disabilities.

By the same member, for the same committee, on a petition, a Bill providing

Neglect

UNCORRECTED PROOF.

for enhanced protection of children and investigation of abuse and neglect allegations (House, No. 109).

By the same member, for the same committee, on a petition, a Bill affirming inclusion of individuals with disabilities within civil rights protections and nondiscrimination provisions in the Commonwealth of Massachusetts (House, No. 113).

By the same member, for the same committee, on a petition, a Bill to end child homelessness (House, No. 115).

By the same member, for the same committee, on a petition, a Bill relative to a loan repayment program for human service workers (House, No. 116).

By the same member, for the same committee, on a petition, a Bill updating the terminology and investigative practices related to the protection of persons with disabilities (House, No. 1958, changed by striking out section 6 and inserting in place thereof the following section:

“SECTION 6. Said section 1 of said chapter 19C, as so appearing, is hereby further amended by striking out the definitions of ‘Disabled person’ and ‘General counsel’ and inserting in place thereof the following definition:-

‘Person with a disability’, a person between the ages of eighteen to fifty-nine, inclusive, who is a person with an intellectual or developmental disability as defined by section 1 of chapter 123B or who is otherwise mentally or physically disabled and as a result of that mental or physical disability is wholly or partially dependent on others to meet that person’s daily living needs; provided however, that the term ‘person with a disability’ shall replace the term ‘disabled person’ without changing the meaning.”).

By the same member, for the same committee, on House, No. 2796, a Bill providing immediate child care assistance to homeless families (House, No. 4293).

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 408 and House, Nos. 412 and 2140, a Bill to reduce packaging waste (House, No. 412).

By the same member, for the same committee, on Senate, No. 443 and House, No. 2946, a Bill relative to solid waste disposal facilities (House, No. 2946).

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relating to access to public records (House, No. 1220).

By the same member, for the same committee, on a petition, a Bill relative to food labeling (House, No. 1227).

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a joint petition, a Bill to authorize the town of Foxborough to establish additional mandated reporters in the town of Foxborough for the purposes of the protection and care of children (House, No. 76) [Local Approval Received].

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 440 and House, No. 2945, a Bill relative to landfills and areas of critical environmental concern (House, No. 2945).

By Mr. O’Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill providing for the appointment of a treasurer-collector in the town of Stockbridge (House, No. 4162) [Local Approval Received].

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to agricultural commission input on board of health regulations (House,

allegations.

Nondiscrimination and civil rights.

Child homelessness.

Loan repayments.

Protection of persons with disabilities,—practices.

Child care,—homeless.

Packaging waste,—reduction.

Solid waste disposal.

Public access records.

Food labeling.

Foxborough,—mandated reporters.

Landfills.

Stockbridge,—treasurer-collector.

Agricultural,—health regulations.

No. 2465).

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Elliot Brown, an employee of the Department of Public Health (House, No. 4267).

Elliot Brown,—
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 Deidre Dacey, an employee of the Parole Board (see House, No. 4059, 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.

Deidre
Dacey,—
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 5 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 sent to the Senate.

Bill
enacted.

Recesses.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject until one o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Wong of Saugus, subject to the call of the Chair; and at fourteen minutes after two o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair.

Reports of a Committee.

Mr. Galvin of Canton, for the committee on Rules, reports (under the provisions of House Rule 7C), that the House order relative to updating the structures, policies, procedures and operations of the human resources function for the House of Representatives, including those that relate to ensuring a workplace free of sexual harassment and retaliation (House, No. 4291), ought to be adopted.

Human
resources
policies,—
report.

Pending the question on adoption of the order, further consideration thereof was postponed, on further motion of the same member, until Wednesday, March 14 and specially assigned to the hour of one o'clock P.M.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C), an Order relative to special procedures for consideration of the House Order updating the structures, policies, procedures and operations of the human resources function for the House of Representatives, including those that relate to ensuring a workplace free of sexual harassment and retaliation (House, No. 4291), ought to be adopted (for order, see House, No. 4292). The order was considered forthwith; and it was adopted.

Human
resources
function,—
procedures.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eighteen minutes after two o'clock P.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 12, 2018.

[29]

JOURNAL OF THE HOUSE.

Monday, March 12, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Power and Might, we pray for the members of our House Chamber and for all the employees of this historic building. We are thankful for the hard-working crews who have restored power to our region. We are mindful of and we pray for the remaining few neighborhoods that continue to suffer from a lack of electricity.

Prayer.

Today, we remember that on this day 130 years ago the Blizzard of 1888 occurred. The so-called "White Hurricane" came upon the region suddenly as unseasonably warm temperatures dropped quickly as heavy rains turned to wind-whipped white out conditions.

Food and coal for heat ran low in Massachusetts cities as trains carrying supplies were stuck on ice and snow-covered rails. Boston officials were so alarmed by the city's shutdown and inability to travel that plans were drawn to create what became the nation's first subway.

As our state prepares for its third nor-easter in eleven days, we pray for the safety and well-being of all our fellow citizens.

May God continue to bless our Commonwealth.

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.

A message from His Excellency the Governor recommending legislation relative to enhancing opportunities for all (House, No. 4297), was filed in the office of the Clerk on Friday, March 9.

Economic infrastructure and opportunities.

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

Orders.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Thursday, April 12, 2018 within which time to make its final report on current House documents numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634

Telecommunications, Utilities and Energy committee,—extension

and 3742.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4295), ought to be adopted. Under suspension of the rules, on motion of Mr. Golden of Lowell, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

of time for reporting.

An Order (filed by Mr. DeLeo of Winthrop) relative to authorizing the Counsel to the House of Representatives to contract with an outside third-party vendor to conduct a series of comprehensive surveys of appointed officers and employees of the House (House, No. 4296), was referred, under Rule 24, to the committee on Rules.

House Counsel,— surveys.

Petitions.

Mrs. Poirier of North Attleborough presented a petition (accompanied by bill, House, No. 4299) of Elizabeth A. Poirier (with the approval of the mayor and city council) for legislation to repeal a certain act increasing the expenditure limit on revolving funds in the city of Attleboro; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Attleboro,— expenditure limits.

Petitions severally were presented and referred as follows:

By Mr. Day of Stoneham (by request), a petition (subject to Joint Rule 12) of Lawrence H. Frank for legislation to regulate the use of powered leaf blowers.

Leaf blowers.

By Mr. Hunt of Boston, a petition (subject to Joint Rule 12) of Daniel J. Hunt for legislation to establish a sick leave bank for Daisy F. Bolden, an employee of the Massachusetts Teachers' Retirement System.

Daisy F. Bolden,— sick leave.

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

Papers from the Senate.

The House Bill authorizing the city of Gardner and the division of capital asset management and maintenance to exchange certain parcels of land (House, No. 4037) (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 all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2329. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Gardner,— land.

The Senate Bill relative to the General Lafayette Trail (Senate, No. 2265) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lafayette Trail.

A report of the committee on Labor and Workforce Development, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1007) of Eileen M. Donoghue, James R. Miceli, John F. Keenan, Rady Mom and other members of the General Court for legislation to raise employment and combating opioids through vocational education and rehabilitation (RECOVER), and recommending the same be referred to the committee on Mental Health, Substance Use and Recovery,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Vocational education and rehabilitation.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Lynnfield to grant additional licenses for the sale of all alcoholic beverages (House, No. 4289) [Local Approval Received], be scheduled for consideration by the House.

Lynnfield,—
liquor
licenses.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

- Relative to municipal deposits (House, No. 1081);
 - To ensure adequate handicapped parking (House, No. 1087);
 - To establish commonsense permitting reforms for businesses and landowners (House, No. 1090);
 - Relative to variances (House, No. 1093);
 - Extending municipal bonding terms for local infrastructure development programs (House, No. 1105);
 - To increase safety on public ways (House, No. 1819);
 - Relative to handicap automobile licenses or placards (House, No. 2425);
 - Relative to rail-trail construction (House, No. 2831, changed);
 - Supporting municipal fiscal stability through a special education stabilization fund (House, No. 3216);
 - Relative to landscape sprinkler systems (House, No. 3379);
 - Relative to the International Trade Commission (House, No. 4195);
 - Supporting affordable housing with a local option for a fee to be applied to certain real estate transactions (House, No. 4196);
 - To exempt the deliberation of public bodies at town meeting from the open meeting law (House, No. 4206); and
 - Authorizing cities and towns to increase the local tax rate on meals (House, No. 4212) [Ms. Garry of Dracut, of the committee on Revenue, dissenting];
- Severally placed in the Orders of the Day for the next sitting for a second reading.

Municipal deposits.
Parking.
Permitting,—
reform.
Variances.
Municipal
bonding.
Public ways.
Handicap licenses.
Rail-trails.
Special
education.
Sprinkler systems.
Trade commission.
Affordable
housing.
Open
meeting law.
Meals tax,—
local option.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Bill providing for a study to be conducted on the cost feasibility of implementing a ferry service to Long Island in Boston Harbor (House, No. 1800),— 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.

Long Island,—
Boston Harbor.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to greater fairness in insurance (House, No. 510).

Insurers,—
discretion.

By the same member, for the same committee, on a petition, a Bill amending Chapter 234 of the Acts of 2012 (House, No. 575).

Craniofacial
coverage.

By the same member, for the same committee, on a petition, a Bill making corrective amendments to Chapter 234 of the Acts of 2012 47CC (House, No. 576).

Id.

By the same member, for the same committee, on a petition, a Bill relative to

Id.

UNCORRECTED PROOF.

ensuring treatment for genetic craniofacial conditions (House, No. 581).

By the same member, for the same committee, on a petition, a Bill relative to improving lives by ensuring access to brain injury treatment (House, No. 2166).

By the same member, for the same committee, on a petition, a Bill to help patients and reduce health care costs by ensuring patient adherence to medications (House, No. 2202).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the welfare of children (House, No. 3607).

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Resolve providing for an investigation and study by a special commission relative to preparedness for natural disasters (House, No. 1299). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles (House, No. 2171).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a joint petition, a Bill relative to seatbelts on school buses (House, No. 1289).

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

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to homeowners insurance (House, No. 534).

By the same member, for the same committee, on a petition, a Bill relative to fair and accurate motor vehicle insurance quotes (House, No. 3682).

By the same member, for the same committee, on a petition, a Bill relative to interstate branching of a credit union and the Massachusetts Credit Union Share Insurance Corporation (House, No. 3690).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill promoting police and youth partnership (House, No. 1293).

By the same member, for the same committee, on a petition, a Bill relative to dangerous weapons (House, No. 1297).

By the same member, for the same committee, on a petition, a Bill relative to fire safety (House, No. 1306).

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

Orders of the Day.

The Senate amendment of the House Bill authorizing the town of Leyden to continue the employment of police chief Daniel J. Galvis (House, No. 3449, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Brain injuries,—
treatment.

Patients,—
medications.

Norfolk
Sheriff,—
drug testing.

Natural disaster
preparedness,—
study.

Damage
appraisers,—
safety notices.

School
buses,—
seatbelts.

Homeowners
insurance.

Insurance,—
driving history.

Credit Union
Share Insurance
Corporation.

Police,—
community
service.

Dangerous
weapons.

Sprinkler
systems.

Leyden,—
Daniel
Galvis.

UNCORRECTED PROOF.

The Senate amendment of the House Bill authorizing the Deerfield Area Fire Protection District to continue the employment of Fire Chief Chester Yazwinski (House, No. 3957), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Deerfield
Area Fire,—
Chester
Yazwinski.

The House Bill designating a certain park in the city of Quincy as the Richard “Dick” Herbert memorial park (House, No. 4082), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Quincy,—
Herbert
park.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4298), 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. DeLeo of Winthrop,—

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

Next
sitting.

At nine minutes after eleven o’clock A.M., on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o’clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MARCH 15, 2018.

[30]*

JOURNAL OF THE HOUSE.

Thursday, March 15, 2018.

Met according to adjournment at eleven o'clock A.M., with Ms. Peake of Provincetown in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Power and Might, we pray for our elected officials of this House chamber and we pray also for their staff.

Prayer.

Today we pray for the many persons who are still without electrical power in various regions, mostly in Barnstable County. We give thanks for the many workers who are laboring around the clock to restore energy to our fellow citizens.

Various sources of power and energy have been discovered and developed over the years by citizens of Massachusetts. Tomorrow will mark the anniversary of the first launch of a liquid fueled rocket. Clark professor and Worcester native Robert H. Goddard conducted this successful experiment in Auburn on March 16, 1926. Goddard went on to become a valuable aerospace engineer. NASA named its space flight center in Bethesda, Maryland after him. The launch site in Auburn is a national historic landmark.

May God continue to bless our Commonwealth.

At the request of the Chair (Ms. Peake), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to enhancing the background record check procedures of the Department of Early Education and Care (House, No. 4310), was filed in the office of the Clerk on Wednesday, March 14.

Early
education,—
background
checks.

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.

Statement Concerning Mr. Donato of Medford.

A statement of Mr. Rushing of Boston concerning Mr. Donato of Medford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Donato of Medford, was unable to be present in the House Chamber for today's sitting due to a scheduling conflict. If he could have been present for the taking of the vote on the question on adoption of the Order relative to updating the structures, policies, procedures and operations of the human

Statement
concerning
Mr. Donato
of Medford.

UNCORRECTED PROOF.

resources function for the House of Representatives, including those that relate to ensuring a workplace free of sexual harassment and retaliation (House, No. 4311, published as amended), he would have voted in the affirmative. His missing of roll calls today was due entirely to the reason stated.

Statement Concerning Mr. Walsh of Framingham.

A statement of Mr. Rushing of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber for today's sitting due treatment at Dana Farber that does not permit him to be present at the formal session. If he could have been present for the taking of the vote on the question on adoption of the Order relative to updating the structures, policies, procedures and operations of the human resources function for the House of Representatives, including those that relate to ensuring a workplace free of sexual harassment and retaliation (House, No. 4311, published as amended), he would have voted in the affirmative. His missing of roll calls today was due entirely to the reason stated.

Statement
concerning
Mr. Walsh of
Framingham.

Resolutions.

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

Resolutions (filed by Ms. Hogan of Stow) congratulating Eli K. Bachtell on achieving the rank of Eagle Scout with the Boy Scouts of America;

Eli
Bachtell.

Resolutions (filed by Ms. Hogan of Stow) congratulating Garrett D. Magnussen on achieving the rank of Eagle Scout with the Boy Scouts of America; and

Garrett
Magnussen.

Resolutions (filed by Mr. Kulik of Worthington) congratulating Doctor J. Lynn Griesemer on the occasion of her retirement;

J. Lynn
Griesemer.

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. Kafka of Stoughton, 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 Dykema of Holliston and Senator Spilka, a joint petition (accompanied by bill, House, No. 4307) of Carolyn C. Dykema and Karen E. Spilka (by vote of the town) that the town of Holliston be authorized to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Holliston,—
alcoholic
beverages.

By Representative Kulik of Worthington and Senator Hinds, a joint petition (accompanied by bill, House, No. 4308) of Stephen Kulik and Adam G. Hinds (by vote of the town) that the town of Huntington be authorized to contribute 60 per cent of the costs of premiums for health insurance and other certain benefits; and

Huntington,—
insurance
premiums.

UNCORRECTED PROOF.

By Ms. Provost of Somerville, a petition (accompanied by bill, House, No. 4309) of Denise Provost and others (with the approval of the mayor and city council) that the city of Somerville be authorized to offer exemptions for certain owner occupied residential properties for water and sewer charges and rates;

Somerville,—
residential
exemptions.

Severally to the committee on Municipalities and Regional Government.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Fiola of Fall River, a petition (subject to Joint Rule 12) of Carole A. Fiola and others for legislation to establish a special commission to research current logistical issues related to outpatient methadone centers and to identify alternatives to the distribution of outpatient methadone treatment.

Methadone
treatment,—
study.

By Mr. O'Day of West Boylston, a petition (subject to Joint Rule 12) of James J. O'Day and others relative to the treatment of substance use disorders.

Substance
use disorders.

By Mrs. Orrall of Lakeville, a petition (subject to Joint Rule 12) of Keiko M. Orrall, Michael J. Rodrigues and Carole A. Fiola for legislation to authorize the commissioner of Capital Asset Management and Maintenance to release certain land in the town of Berkley from the operation of an agricultural preservation restriction.

Berkley,—
land.

By Mr. Roy of Franklin, a petition (subject to Joint Rule 12) of Jeffrey N. Roy, Richard J. Ross and Karen E. Spilka for legislation to establish a sick leave bank for Sara Parmenter, an employee of the Department of Correction.

Sara
Parmenter,—
sick leave.

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

Paper from the Senate.

A Bill permitting a certain parcel of land in the town of New Braintree to be used for a solar farm and other municipal purposes (Senate, No. 2189) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

New
Braintree,—
land.

Reports of Committees.

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

Relative to disability benefits (House, No. 2515); and

Disability benefits.

Providing for the appointment of a treasurer-collector in the town of Stockbridge (House, No. 4162) [Local Approval Received];

Stockbridge,—
treasurer-
collector.

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Bill creating a special commission to study the equity of chapter 21J and 21O (House, No. 2921); and

Petroleum
releases,—
commission.

Of the Bill relative to the conservation of Atlantic striped bass (House, No. 4274);

Atlantic
striped bass.

UNCORRECTED PROOF.

And recommending that the same severally be referred to the House committee on Rules.

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

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4230) of Linda Dean Campbell and others relative to the reserve power systems of publicly owned treatment works,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Treatment works,—
reserve power.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the protection of children (House, No. 1963). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Child abuse and neglect.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 119).

Gender-responsive programming,—
study.

By the same member, for the same committee, on a joint petition, a Bill establishing a special commission on two-generation approaches to childhood education (House, No. 1969).

Family poverty,—
study.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the payment of funeral expenses for poor and indigent persons (House, No. 117).

Indigent,—
funeral expenses.

By the same member, for the same committee, on a petition, a Bill improving outcomes for transition age youth (House, No. 1957).

Transition age youth.

By the same member, for the same committee, on a petition, a Bill providing for a study by the Executive Office of Health and Human Services relative to nonprofit group homes (House, No. 1960).

Nonprofit group homes.

By the same member, for the same committee, on a petition, a Bill relative to foster care recruitment (House, No. 1962).

Foster care.

By the same member, for the same committee, on a petition, a Bill relative to cueing and supervision in the PCA program (House, No. 1967).

PCA program.

By the same member, for the same committee, on a petition, a Bill relative to the re-homing of children (House, No. 2798).

Re-homing children.

By the same member, for the same committee, on a petition, a Bill relative to youth emancipation alternatives (House, No. 2799).

Youth emancipation.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill establishing an office of the condominium ombudsman (House, No. 669).

Condominium ombudsman.

By the same member, for the same committee, on a petition, a Bill relative to water and sewer rate relief (House, No. 690).

Water and sewer rates.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 2695 and 3385, a Bill relative to anaerobic digestion (House, No. 4303).

Anaerobic digestion.

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

Means.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to energy efficiency (House, No. 1724, changed in line 3 by inserting after the word “fuel” the words “or technology”).

Energy efficiency.

By the same member, for the same committee, on House, No. 2697, a Bill relative to hydro (House, No. 4304).

Hydroelectric power.

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

Emergency Measure.

The engrossed Bill designating a certain bridge in the town of Lee as the Lou Digrigoli Memorial Bridge (see House, No. 4156, changed and 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.

Lee,—
DiGrigoli bridge.

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 sent to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Leyden to continue the employment of police chief Daniel J. Galvis (see House, No. 3449, amended);

Bills enacted.

Authorizing the Deerfield Area Fire Protection District to continue the employment of Fire Chief Chester Yazwinski (see House, No. 3957, amended); and

Relative to the funding of the other post-employment benefits liability trust fund in the town of Northbridge (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.

Motion to Discharge a Certain Matter in the Orders of the Day.

The Senate Bill establishing a sick leave bank for Linda Thernize-Williams, an employee of the Department of Transitional Assistance (Senate, No. 2251, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton; and it was passed to be engrossed, in concurrence.

Third reading bill.

Recess.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Vieira of

Falmouth (Ms. Peake of Provincetown being in the Chair), the House recessed until a quarter after one o'clock P.M.; and at twenty-eight minutes before two o'clock the House was called to order with Mrs. Haddad of Somerset in the Chair.

The House thereupon took a further recess, on motion of Mr. Silvia of Fall River, until a half past two o'clock P.M.; and at twenty-six minutes before three o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

Report of a Committee.

Mr. Galvin of Canton, for the committee on Rules, reported an Order relative to authorizing the Counsel to the House of Representatives to contract with an outside third-party vendor to conduct a series of comprehensive surveys of appointed officers and employees of the House (House, No. 4296).

Human resources policies.

Under suspension of the rules, on motion of Ms. Decker of Cambridge, the order was considered forthwith; and it was adopted.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Linda Thernize-Williams, an employee of the Department of Transitional Assistance (see Senate, No. 2251, 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.

Linda Thernize-Williams,—
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 25 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 sent to the Senate.

Bill enacted.

The engrossed Bill designating a certain park in the city of Quincy as the Richard "Dick" Herbert Memorial Park (see House, No. 4298), 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.

Quincy,—
Herbert park.

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 15 to 0. Sent to the Senate for concurrence.

Engrossed Bill – Land Taking.

The engrossed Bill relative to veterans' housing in the city known as the town of Agawam (see House Bill printed as Senate, No. 2014, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Agawam,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—
yea and nay
No. 314.

[See Yea and Nay No. 314 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

The Speaker being in the Chair,—

The Order relative to updating the structures, policies, procedures and operations of the human resources function for the House of Representatives, including those that relate to ensuring a workplace free of sexual harassment and retaliation (House, No. 4291), was discharged from its position in the Orders of the Day and was considered, under suspension of Rule 47, on motion of Ms. Decker of Cambridge.

Human
resources
function,—
procedures.

After remarks on the question on adoption of the order (Mrs. Haddad of Somerset being in the Chair), Ms. DiZoglio of Methuen moved to amend it by adding the following rule:

“100. The House shall not include a non-disparagement or non-disclosure clause in any agreement.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 21 members voted in the affirmative and 131 in the negative.

Amendment
rejected,—
yea and nay
No. 315.

[See Yea and Nay No. 315 in Supplement.]

[Ms. Atkins of Concord answered “Present” in response to her name.]

Therefore the amendment was rejected.

Ms. Decker of Cambridge and other members of the House then moved to amend the order by adding the following rule:

“100. (a) No member, officer or employee shall execute any agreement to settle any legal claim or potential legal claim by any current or former member, officer or employee unless said agreement is executed pursuant to this rule.

(b) No member, officer or employee shall execute any agreement to settle any legal claim or potential legal claim brought by any current or former member, officer or employee without the approval of Counsel, the Director and the EEO Officer. Counsel, the Director and the EEO Officer shall each independently review the claim or potential legal claim brought by any current or former member, officer or employee and confirm that the claim or potential claim does not relate to sexual harassment or retaliation based on a claim of sexual harassment. Counsel, the Director and the EEO Officer shall not approve any settlement of a legal claim or potential legal claim brought by any current or former member, officer or employee pursuant to this subsection if Counsel, the Director or the EEO Officer reasonably believes such legal claim or potential legal claim relates to sexual harassment or retaliation based on a claim of sexual harassment.

(c) No member, officer or employee shall execute any agreement to settle any legal claim or potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of sexual harassment, by any current or former member, officer or employee unless said agreement is executed pursuant to this subsection.

No member, officer or employee shall execute any agreement to settle a legal claim or potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of sexual harassment, by any current or former member, officer or employee unless:

1. the request to negotiate said agreement was initiated, in writing, by the

person filing or eligible to file the legal claim or potential legal claim or a person legally authorized to represent that person;

2. the person filing the legal claim or eligible to file the legal claim is given 15 days to review and consider the agreement;

3. the duration of any non-disclosure or non-disparagement provision of the agreement to settle the legal claim or potential legal claim is for a finite period of time as agreed to by the parties;

4. the agreement to settle the legal claim or potential legal claim specifically provides that no provision of the agreement, including any non-disclosure or non-disparagement provision of the agreement, shall preclude any party from participating in an investigation by Counsel, the Director, the EEO Officer, a Committee on Professional Conduct or any law enforcement agency; and

5. the agreement is approved in writing by Counsel, the Director and the EEO Officer.

(d) In the case of an agreement to settle any legal claim or potential legal claim of sexual harassment pursuant to this Rule by a member, the Speaker and Minority Leader shall appoint a Special Committee on Professional Conduct pursuant to Rule 96 to determine if the member shall be required to personally reimburse the House for all or part of the settlement amount. Upon a determination by the Special Committee that the member shall be required to personally reimburse the House for all or part of the settlement amount, it shall determine the amount to be reimbursed and immediately notify the member of that amount

(e) Upon request of a party to an agreement, Counsel shall waive any non-disclosure or non-disparagement provision of any agreement executed prior to the effective date of this Rule by the House and any current or former member, officer or employee, to allow said current or former member, officer or employee to report or discuss a claim of sexual harassment or retaliation based on sexual harassment.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 316 in Supplement.]

Therefore the consolidated amendment was adopted.

Ms. Provost of Somerville then moved to amend the order in proposed Rule 94, in line 295, by adding the following sentence: “Such assessment shall be completed within two weeks from the date of receiving a complaint.”. The amendment was adopted.

The same member then moved to amend the order in proposed Rule 88, in line 64, by inserting after the word “harassment” the words “, or any individual who witnesses something they think may be harassment,”. The amendment was adopted.

Ms. Provost then moved to amend the order in proposed Rule 94 by adding the following sentence: “If the EEO Officer believes that interim measures are warranted to protect complainants during the investigation, then the EEO shall recommend such measures to the appropriate supervisory individual or body.”. The amendment was adopted.

Ms. Provost of Somerville then moved to amend the order in proposed Rule 90, in line 301, by striking out the following: “employment.” and inserting in place thereof the following: “employment including exit interviews for terminated employees.”. The amendment was adopted.

Ms. Decker of Cambridge then moved to amend the order in proposed Rule 88, in line 5, by striking out the word “Definitions.”, in line 46 by striking out the word “parties” and inserting in place thereof the word “party”, in line 48 by striking out

Consolidated
amendment
adopted,—
yea and nay
No. 316.

UNCORRECTED PROOF.

the word “Policy.”, in line 61 by striking out the word “employee” and inserting in place thereof the word “, employee”, in line 72 by striking out the word “Examples.”; and in line 110 by striking out the word “Retaliation.”;

In proposed Rule 89, in line 117, by striking out the words “Equal Employment Opportunity Officer”, and in line 135 by striking out the word “resolving” and inserting in place thereof the word “, resolving”;

In proposed Rule 90, in line 178, by striking out the words “Director of Human Resources”; and by adding the following subsection:

“(h) The Committee on Personnel and Administration, in consultation with the Director, shall develop policies to address individuals who provide services to the House in a volunteer capacity or otherwise without receiving compensation.”;

In proposed Rule 91, in line 236, by striking out the words “Human Resources Web Portal”;

In proposed Rule 92, in line 243, by striking out the words “Director of Employee Engagement”;

In proposed Rule 93, in line 255, by striking out the word “Complaints”, in line 264 by striking out the word “to” and inserting in place thereof the word “, to”, in line 270 by striking out the word “with” and inserting in place thereof the word “, with”;

In proposed Rule 94, in line 288, by striking out the word “Investigations”; and in line 318 by striking out the words “remedial, or” and inserting in place thereof the words “remedial or”;

In proposed Rule 95, in line 319, by striking out the word “Discipline”;

In proposed Rule 96, in line 361, by striking out the words “Special Committees on Professional Conduct”, in line 376 by inserting after the word “that” the word “it”; and in line 399 by striking out the word “that” and inserting in place thereof the word “, that”;

In proposed Rule 97, in line 409, by striking out the words “Confidentiality of Investigations”, in lines 416 and 423 by striking out the word “, or” and inserting in place thereof, in each instance, the word “or”, in line 433 by striking out the word “, and” and inserting in place thereof the word “and”, in lines 440 and 459, by striking out the words “authority or” and inserting in place thereof, in each instance, the words “authority, or”; and in line 464, by inserting after the word “document” the words “; provided, however, that the committee may use pseudonyms to conceal the identity of the complainant if the circumstances of the complaint so warrant”;

In proposed Rule 98, in line 470, by striking out the words “Supplemental Policies, Procedures and Guidelines”;

In proposed Rule 99, in line 479, by striking out the word “Transition”; and

In proposed Rule 100 (inserted by amendment), in subsection (e), by striking out the words “a party to an agreement” and inserting in place thereof the following: “, the party described in paragraph numbered 1 above or the complainant”.

The amendments were adopted.

On the question on adoption of the order, the sense of the House was taken by yeas and nays at the request of Ms. Decker of Cambridge; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 317 in Supplement.]

Therefore the order (House, No. 4311, published as amended) was adopted.

The House Bill establishing the position of town manager in the town of Ayer (House, No. 4080), reported by the committee on Bills in the Third Reading to be

Order
adopted—
yea and nay
No. 317.

Third
reading
bill.

UNCORRECTED PROOF.

correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Benson of Lunenburg.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by adding the following section:

“SECTION 6. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4080, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Vieira of Falmouth then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty minutes before six o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 19, 2018.

[31]

JOURNAL OF THE HOUSE.

Monday, March 19, 2018.

Met at twelve minutes after eleven o'clock A.M., in an Informal Session, with Mrs. Haddad of Somerset in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Cold and Chill, we ask You to warm our hearts if not our bodies as we begin the spring season tomorrow. Bless our legislators with wisdom and courage as they review and consider all the legislative issues that lie before them.

Prayer.

Today we remember the anniversary of the 1746 birth of Seth Read, a lieutenant for the Continental army. Born in Uxbridge of Worcester County, Read fought in the early battles of Lexington, Concord and Bunker Hill. Later he founded a mint and on the coinage, he promoted the use of the Latin phrase "E Pluribus Unum - out of many, one" which became a national motto.

We pray for 8th Worcester District Representative Kevin Kuros and his staff.
May God bless our Commonwealth.

At the request of the Chair (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Messages from the Governor.

A message from His Excellency the Governor recommending legislation relative to promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4318), was filed in the office of the Clerk on Thursday, March 15.

Climate
change.

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

A message from His Excellency the Governor recommending legislation relative to providing affordable health insurance options to municipal retirees (House, No. 4313), was filed in the office of the Clerk on Friday, March 16.

Municipal
retirees,—
healthcare.

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

Resolutions.

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

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows

Nicholas
DeLucia.

of Mansfield and Kafka of Stoughton) congratulating Nicholas Charles DeLucia on receiving the Eagle Scout Award of the Boy Scouts of America;

Resolutions (filed by Ms. Gifford of Wareham) congratulating Mary Elizabeth Dwyer on her one hundredth birthday;

Resolutions (filed by Ms. Cronin of Easton) congratulating Cole Branagan on his elevation to the rank of Eagle Scout;

Resolutions (filed by Mr. Vega of Holyoke) honoring on their one hundredth anniversary the Kiwanis Club of Holyoke, Massachusetts; and

Resolutions (filed by Ms. Vincent of Revere and other members of the House) recognizing the month of April as Sarcoidosis Awareness Month;

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

Mary
Dwyer.

Cole
Branagan.

Holyoke,—
Kiwanis Club.

Sarcoidosis
Awareness Month.

Communication.

A communication from the Dukes County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Dukes County
Registry of
Deeds,—
technology
fund.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Golden of Lowell and Senator Lovely, a joint petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., and Joan B. Lovely for legislation to establish a sick leave bank for David Palazzo, an employee of the Department of Developmental Services.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (subject to Joint Rule 12) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Gloria Phillips, an employee of the Division of Industrial Accidents.

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

David
Palazzo,—
sick leave.

Gloria
Phillips,—
sick leave.

Papers from the Senate.

The Senate Bill to protect access to confidential healthcare (Senate, No. 2296, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4256, amended) with a further amendment inserting after section 2 (as printed) the following section:

“SECTION 3A. The guidance required under subsection (h) of section 27 of chapter 176O of the General Laws shall be issued or updated to meet the requirements of this act not later than 3 months after the effective date of this act.”

The Senate further amendment was referred, under Rule 35, to the committee

Confidential
healthcare,—
access.

on Bills in the Third Reading.

Bills

Relative to education collaboratives (Senate, No. 2330) (on Senate bill No. 290); and

Education
collaboratives.

Relative to protecting puppies and kittens (Senate, No. 2231, amended in section 4, in line 232, by inserting after the word “socialization” the words “path to retirement, litter sizes, exposure to sunlight, time outside the cage”, in lines 235 and 236, by striking out the words “consider the recommended standards of the American Veterinary Medical Association” and inserting in place thereof the words “consider the standards of the Canine Care Certified program administered by the non-profit Center for Canine Welfare and of the American Veterinary Medical Association” (as changed by the Senate committee on Bills in the Third Reading); and in section 5, in line 237, by striking out the words “shall hold a public hearing” and inserting in place thereof the following: “shall hold at least 2 public hearings in geographically different regions”) (on Senate bill No. 1155);

Animals,—
pet sales.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C), an Order relative to special procedures for consideration of the House Bill regulating and insuring short-term rentals (House, No. 4314) [for order, see House, No. 4316]. The order then was adopted.

Short-term
rentals,—
procedures.

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:

Joint petition (accompanied by bill) of Paul A. Schmid, III and Michael J. Rodrigues that the Director of Animal Health be authorized to require annual training for municipal animal inspectors. To the committee on Environment, Natural Resources and Agriculture.

Animal
inspectors,—
training.

Petition (accompanied by bill) of Shawn Dooley and others relative to the sale and purchase of butane and propane; and

Butane and
propane.

Petition (accompanied by bill) of Kenneth I. Gordon and others relative to investigations of sexual harassment and discrimination;

Sexual harassment
and discrimination.

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of Nick Collins (with the approval of the mayor and city council) that the Economic Development and Industrial Corporation of the city of Boston be authorized to enter into a single energy management services contract to provide energy management services to all public and private properties, either owned or leased, within the Raymond L. Flynn Marine Park in said city. To the committee on Telecommunications, Utilities and Energy.

Boston,—
energy
management
services.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill regulating and insuring short-term rentals (House, No. 4287), ought to pass with an

Short-term
rentals,—
regulations.

UNCORRECTED PROOF.

amendment substituting therefor a bill with the same title (House, No. 4314) [Representative Boldyga of Southwick dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a message from His Excellency the Governor, a Bill financing improvements to municipal roads and bridges (printed in House, No. 4237). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Municipal roads and bridges.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill providing for certain health insurance coverage (House, No. 526).

Insurance coverage.

By the same member, for the same committee, on a petition, a Bill promoting continuity of care for multiple sclerosis treatment (House, No. 529).

Multiple sclerosis.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide notice to counsel of changes in a child's or a young adult's placement and other events (House, No. 2800).

Notice to counsel.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to the supplemental application requirement for dwelling fire insurance policies (House, No. 2187).

Fire insurance policies.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the financial condition of the city of Lynn (House, No. 4302) [Local Approval Received].

Lynn,— finances.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 4240, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels to the town of Shrewsbury (House, No. 4312) [Local Approval Received].

Shrewsbury,— land.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to transparency in private utility construction contracts (House, No. 1733).

Private utility construction contracts.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill establishing a rapid transportation pilot for the Fairmount corridor (House, No. 2723).

Fairmount corridor,— pilot project.

By the same member, for the same committee, on a petition, a Bill improving the accessibility of certain Massport environmental data relative to East Boston (House, No. 3533).

Massport,— environmental impact.

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

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to elections in the city known as the town of Greenfield (House, No. 2778) [Local Approval Received].

Greenfield,— elections.

UNCORRECTED PROOF.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to tobacco premium ratings (House, No. 521).

By the same member, for the same committee, on a petition, a Bill to add a compulsory death benefit to automobile liability insurance (House, No. 2195).

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to certain affordable housing in the Jamaica Plain section of the city of Boston (House, No. 4238) [Local Approval Received].

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the tenure of office of the city clerk of the city of Revere (House, No. 4264) [Local Approval Received].

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill honoring Bob Cousy (House, No. 3534).

By the same member, for the same committee, on a petition, a Bill electric vehicle charging stations [sic] (House, No. 4069) [Local Approval Received].

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following bills be scheduled for consideration by the House:

The Senate Bill designating February 14 as Frederick Douglass Day (Senate, No. 1740, amended); and

House bills

To establish the uniform enforcement of foreign judgments (House, No. 718);

To strengthen civil rights (House, No. 767);

To advance hate-crime protections for victims who are targeted due to their gender (House, No. 774);

Prohibiting gunfire directed at dwelling houses (House, No. 908);

Further regulating the Commission on Falls Prevention (House, No. 1164);

Relative to increasing the fines and penalties for texting and driving (House, No. 1792);

Relative to year of manufacture registration plates (House, No. 1872);

Criminalizing sexual assault by fraud by a medical professional (House, No. 2289);

To add law enforcement councils to the Massachusetts TORT Claims Act (House, No. 2356);

Restoring accountability in claims against certain non-governmental actions for damage caused by public way defects (House, No. 2724);

Regarding right of way violations (House, No. 2752);

Concerning the Massachusetts Probation Service (House, No. 3099);

Relative to expired licenses (House, No. 3432);

To prevent jaywalking (House, No. 4226) [Representative Meschino of Hull, of the committee on Transportation, dissenting]; and

Relative to farmers' markets (House, No. 4233);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Elis Sanchez-O'Shea, an

Tobacco,—
ratings.

Automobile
insurance.

Boston,—
housing.

Revere,—
city clerk.

Boston,—
Cousy way.

Boston,—
electric vehicles.

Frederick
Douglass day.

Foreign judgments.
Civil rights.

Hate-crimes,—
gender.

Gunfire.

Falls prevention.

Driving,—
texting fines.

Antique cars.

Sexual assault,—
fraud.

Claims Act,—
law council.

Public ways,—
defects.

Rights of way.

Probation service.

Expired licenses.

Jaywalking.

Farmers' markets.

Elis Sanchez-
O'Shea,—

UNCORRECTED PROOF.

employee of the Trial Court of the Commonwealth (see House, No. 4150), 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.

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.

Engrossed Bill.

The engrossed Bill designating a certain park in the city of Quincy as the Richard “Dick” Herbert Memorial Park (see House, No. 4298) (which originated in the House), 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.

Orders of the Day.

The House Bill designating a certain bridge in the town of Hudson as the Private First Class Kenneth M. Thibault memorial bridge (House, No. 4023) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Hudson,—
Thibault
bridge.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-four minutes after eleven o’clock A.M., on motion of Mrs. Harrington of Groton (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Wednesday at eleven o’clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MARCH 21, 2018.

[32]

JOURNAL OF THE HOUSE.

Wednesday, March 21, 2018.

Met according to adjournment at eleven o'clock A.M., with Ms. Peake of Provincetown 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 (Ms. Peake), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Justin David Flodman on receiving the Eagle Award of the Boy Scouts of America;

Justin
Flodman.

Resolutions (filed by Mr. Arciero of Westford) congratulating Jane Yolen on her outstanding contributions to the World of Children's and American Literature;

Jane
Yolen.

Resolutions (filed by Ms. DiZoglio of Methuen and other members of the House) recognizing April as Parkinson's Disease Awareness Month;

Parkinson's
Disease.

Resolutions (filed by Representatives Dykema of Holliston, Gregoire of Marlborough and Kane of Shrewsbury) congratulating Chief Alan Gordon on the occasion of his retirement;

Alan
Gordon.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Steven Nelson on receiving the Eagle Award of the Boy Scouts of America;

Steven
Nelson.

Resolutions (filed by Messrs. Roy of Franklin and McMurtry of Dedham) congratulating Nicholas John Arego on receiving the Eagle Award of the Boy Scouts of America; and

Nicholas
Arego.

Resolutions (filed by Mr. Roy of Franklin) congratulating Samuel W. Warnick on the occasion of his one hundredth birthday;

Samuel
Warnick.

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

Orders.

The following order (filed by Ms. Cronin of Easton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Wednesday, May 2, 2018 within which time to make its final report on current House documents numbered 47, 707, 795, 869, 873, 933, 948, 980, 2263, 2274, 2277, 2307, 2330, 2348, 2354, 3027, 3083, 3093, 3584, 3655, 3729, 3835, 3904, 3928 and 4142.

Judiciary
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4317), ought to be adopted. Under suspension of the rules, on motion of Ms. Cronin of Easton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Garlick of Needham) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Mental Health, Substance Use and Recovery be granted until Monday, May 7, 2018 within which time to make its final report on current Senate documents numbered 1007, 1081, 1085, 1092, 1098, 1099, 1100, 1101, 1108 and 1114, and House documents numbered 1060, 1061, 1066, 2391, 2396, 2404, 3205, 3206, 3508, 3511, 3594 and 4033.

Mental Health, Substance Use and Recovery committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4305), ought to be adopted. Under suspension of the rules, on motion of Ms. Garlick of Needham, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it by striking out the date “Monday, May 7” and inserting in place thereof the date “Friday, May 4”. The amendment was adopted.

The order (House, No. 4305, amended) then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Thursday, April 12, 2018 within which time to make its final report on current Senate document numbered 2336 and House documents numbered 4149, 4151 and 4222.

Telecommunications, Utilities and Energy committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4306), ought to be adopted. Under suspension of the rules, on motion of Mr. Golden of Lowell, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

From the Executive Office of Health and Human Services (see Section 15 of Chapter 118I of the General Laws) submitting the annual report of the Health Information Technology Council for the period August 2017 to December 2017;

Health Information Technology Council. Department of Correction.

From the Executive Office of Public Safety and Security (see Section 6 of Chapter 124 of the General Laws) submitting the annual report of Department of Correction for the fiscal year 2016;

From the Executive Office of Public Safety and Security (see Section 2 of Chapter 170 of the Acts of 2004) submitting the annual report examining data reported by Massachusetts law enforcement agencies with approved electronic control weapons training programs for calendar year 2016; and

Stun guns.

From the Massachusetts Technology Collaborative (see Section 8 of Chapter 40J of the General Laws) submitting the annual report for fiscal year 2017;

Technology Collaborative.

Severally were placed on file.

Papers from the Senate.

The House Bill authorizing the town of Charlemont to establish a tax on commercial recreation services (House, No. 2623), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2356. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Charlemont,—
recreation tax.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until April 12, 2018, within which time to make its final report on current Senate documents numbered 1831, 1841, and 1876, relative to renewable energy.

Telecommunication
s, Utilities and
Energy
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Golden of Lowell, the order (Senate, No. 2340), was considered forthwith; and it was adopted, in concurrence.

Bills

Relative to social media privacy protection (Senate, No. 2346) (on Senate bill No. 2320, amended); and

Social media,—
privacy.

To protect animal welfare and safety in cities and towns (Senate, No. 2347) (on Senate bill No. 2332, amended);

Animal
welfare.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a message from His Excellency the Governor, a Bill providing affordable health insurance options to municipal retirees (printed in House, No. 4313).

Municipal
retirees,—
healthcare.

Mr. Sánchez of Boston moved that Joint Rule 1E be suspended; and the motion prevailed. The bill then was read; and referred, under Rule 33, to the committee on Ways and Means.

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

The Senate Bill permitting a certain parcel of land in the town of New Braintree to be used for a solar farm and other municipal purposes (Senate, No. 2189) [Local Approval Received]; and

New
Braintree,—
land.

House bills

Relative to fair and accurate motor vehicle insurance quotes (House, No. 3682);

Insurance,—
driving history.

To establish an early retirement incentive program for Barnstable County (House, No. 4107); and

Barnstable
County.

Bill establishing a sick leave bank for Elliot Brown, an employee of the Department of Public Health (House, No. 4267);

Elliot Brown,—
sick leave.

Under suspension of Rule 7A, in each instance, on motion of Mr. Speliotis of

UNCORRECTED PROOF.

Danvers, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill relative to social media privacy protection (House, No. 158). Read; and referred, under Rule 33, to the committee on Ways and Means.

Social media,—
privacy.

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Elis Sanchez-O’Shea, an employee of the Trial Court of the Commonwealth (see House, No. 4150) (which originated in the House), 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.

Motion to Discharge a Certain Matter in the Orders of the Day.

The Senate further amendment to the House amendment of the Senate Bill to protect access to confidential healthcare (Senate, No. 2296, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered, under suspension of Rule 47, on motion of Mr. Roy of Franklin; and it was adopted, in concurrence.

Confidential
healthcare.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on tomorrow at two o’clock P.M.

Next
sitting.

Mr. Madaro of Boston then moved that when the House adjourns today, it do so in respect to the memory of Michael A. D’Avolio, a member of the House from Boston (East Boston) from 1961 to 1964, inclusive; and in 1967 and 1968; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at sixteen minutes after eleven o’clock A.M., on motion of Mr. Barrows of Mansfield (Ms. Peake of Provincetown being in the Chair), the House adjourned, to meet the following day at two o’clock P.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MARCH 22, 2018.

[33]*

JOURNAL OF THE HOUSE.

Thursday, March 22, 2018.

Met at six minutes after two o'clock P.M., with Mrs. Haddad of Somerset in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Truth, we pray for our elected members of this House and their staff. We pray for their continual efforts in crafting just and fair legislation.

Prayer.

God of Power and Might, we pray in a spirit of thanksgiving for our Commonwealth having dodged yet another powerful March storm. We are thankful as we have grown weary of unrelenting wintry weather.

We are aware that unseasonable weather has long been a characteristic of our region. In fact, we remember that this week marks the 82nd anniversary of the worst flooding in the state's history.

Cities and towns along the Connecticut River, including the city of Springfield, found their downtown precincts devastated. The Great Flood of 1936 killed 10 people, left 50,000 homeless and caused damage in Massachusetts that totaled over \$200 million- about \$5 billion dollars in today's money.

The one silver lining was to be found in the flood's aftermath as the federal government's Works Project Administration or WPA employed many citizens who had been unemployed since the start of the Great Depression. Clean up operations, the re-opening of mills that produced needed clothing and the establishment of a series of dams along the Connecticut River helped lead to an economic recovery for that part of the Bay State.

May God continue to bless our Commonwealth.

At the request of the Chair (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Prayer.

At the request of Representatives Golden of Lowell, Arciero of Westford, Atkins of Concord and Nangle of Lowell, the members, guests and employees stood in a moment of silent tribute to the memory of Dennis J. Ready, 75, of Chelmsford.

Dennis J. Ready.

At the request of Representative Thomas A. Golden, Jr., Representative James Arciero, Representative Cory Atkins, and Representative David M. Nangle, will members, guests and employees please stand in a moment of silent tribute to the memory of Dennis J. Ready, 75, of Chelmsford.

Dennis, known by many as "Mr. Chelmsford" or the "Father of Chelmsford", passed away unexpectedly on Friday, March 16th. He was the beloved husband of Donna (Gile) Ready for over 45 years.

He poured his heart and soul into making the town a wonderful place for his children and grandchildren to grow up. In his later career, he and his wife Donna

worked as a team in real estate at Landmark Realty for over 25 years before joining their son, Joseph, in 2010, to found a family business, Ready Real Estate.

Local politics was his passion. He and his brother, Bernard, known together as “The Ready Boys”, were a fixture at Town Meeting from the time they could vote. He served over 25 years as a Town Meeting Representative and 12 years as a Selectman, serving 4 times as Chairman. His public service to the Town of Chelmsford also included serving on the Sewer Commission, Historic District Commission, and Conservation Commission. A dedicated lifelong Democrat, he sat on the Democratic Town Committee and often served as a delegate at state conventions.

In addition to his wife, Dennis is survived by his daughter and son-in-law, Robert and Karen (Ready) Uttecht of Chelmsford; his two sons and daughters-in-law, Kevin and Holley (Cain) Ready of Chelmsford and Joseph and Amy (Martel) Ready of Chelmsford; Michele Martel, who he thought of as a daughter; his sister and brother-in-law Jeff and Rosemary (Ready) Moulton; his brother and sister-in-law Bernard and Carol Ready and his eight grandchildren: Drema, Jackson, Ashley, Connor, Ryan, Brent, Andrew, and Mary. He was also the brother of the late Keith Ready and brother-in-law of the late Arthur and Drema (Gile) Main.

Statement Concerning Mrs. O’Connell of Taunton.

A statement of Mr. Frost of Auburn concerning Mrs. O’Connell of Taunton was spread upon the records of the House, as follows:

MADAM SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative O’Connell of Taunton, is unable to be present in the House Chamber for today’s sitting due to a recent surgical procedure. Her missing of roll calls today is due entirely to the reason stated.

Statement concerning Mrs. O’Connell of Taunton.

Statement Concerning Mr. Walsh of Framingham.

A statement of Mr. Moran of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MADAM SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber for today’s sitting due treatment at Dana Farber that does not permit him to be present at the formal session. If he could have been present for the taking of the vote on the question on passing to be engrossed the House Bill regulating and insuring short-term rentals (House, No. 4327, published as amended), he would have voted in the affirmative. His missing of roll calls today was due entirely to the reason stated.

Statement concerning Mr. Walsh of Framingham.

Resolutions.

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

Resolutions (filed by Ms. Fiola of Fall River and other members of the House) honoring Henry S. Gillet, Junior for his years of dedicated service to the Commonwealth’s agriculture industry; and

Resolutions (filed by Mr. McKenna of Webster) commending the New England Hemophilia Association on its recognition of March 2018 as Bleeding

Henry Gillet.

Bleeding Disorders

Disorders Awareness Month;

Month.

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

Communications.

Communications

From the Community Economic Development Assistance Corporation (see Section 6 of Chapter 40H of the General Laws) submitting its annual report for the fiscal year 2017;

CEDAC,—
annual
report.

From the Human Resources Division of the Executive Office for Administration and Finance (see Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service fire promotional series eligible lists that have been revoked by the Personnel Administrator as of November 1, 2017;

Civil service,—
fire lists.

From the Human Resources Division of the Executive Office for Administration and Finance (see Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service fire chief promotional series eligible lists that have been revoked by the Personnel Administrator as of March 1, 2018; and

Civil service,—
fire chief
lists.

From the Human Resources Division of the Executive Office for Administration and Finance (see Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service police promotional series eligible lists that have been revoked by the Personnel Administrator as of October 1, 2017;

Civil service,—
police lists.

Severally were placed on file.

Report.

A report of the Massachusetts Department of Transportation (under Section 11 of Chapter 161A of the General Laws) submitting the Massachusetts Bay Transportation Authority's efforts to maximize non-transportation revenue for fiscal year 2017, was placed on file.

MBTA,—
Non-transit
revenue.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Ashe of Longmeadow and Senator Gobi, a joint petition (subject to Joint Rule 12) of Brian M. Ashe and Anne M. Gobi that the state treasury be authorized to pay Armando Sousa, a former employee of the Monson Developmental Center, for services rendered to the Monson Developmental Center during the years 1977 to 1985, inclusive.

Armando
Sousa,—
payment.

By Mr. Cantwell of Marshfield, a petition (subject to Joint Rule 12) of James M. Cantwell relative to the regulation and operation of unmanned aerial vehicles, so called drones.

Drones.

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

Paper from the Senate.

A petition of Walter F. Timilty for legislation relative to an easement plan for the Milton Inline Inspection Project, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Milton Inline
Inspection
Project.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2369) 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:

A joint petition (accompanied by bill) of Tackey Chan, John F. Keenan and others for legislation to designate the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley. To the committee on Environment, Natural Resources and Agriculture.

Quincy,—
McCauley
maritime center.

A petition (accompanied by bill) of Angelo J. Puppolo, Jr., relative to civil penalties for the disposal of trash or garbage from motor vehicles. To the committee on the Judiciary.

Motor vehicles,—
refuse disposal.

A petition (accompanied by resolve) of Carole A. Fiola and others for legislation to establish a special commission to research current logistical issues related to outpatient methadone centers and to identify alternatives to the distribution of outpatient methadone treatment. To the committee on Mental Health, Substance Use and Recovery.

Methadone
treatment,—
alternatives.

A joint petition (accompanied by bill) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents. To the committee on Public Service.

Gloria
Phillips,—
sick leave.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1822, 1829, 1897, 2742, 3417 and 3422, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning autonomous vehicles (House, No. 4319). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Transportation,—
study.

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.

Subsequently, Mr. Galvin of Canton, for said committee, on the foregoing Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning autonomous vehicles (House, No. 4319) reported, asking to be discharged from further consideration:

Transportation,—
study.

In part, of the petition (accompanied by bill, House, No. 1822) of Peter J. Durant, Joseph D. McKenna and Chris Walsh for legislation to authorize the operation of autonomous vehicles without active control or monitoring by a human operator;

Autonomous
vehicles.

In part, of the joint petition (accompanied by bill, House, No. 1829) of Tricia Farley-Bouvier, Jason M. Lewis and others relative to autonomous vehicle access to the public ways; Id.

In part, of the petition (accompanied by bill, House, No. 1897) of William M. Straus relative to autonomous vehicles; Id.

In part, of the petition (accompanied by bill, House, No. 2742) of Aaron Michlewitz and others relative to autonomous vehicles; Id.

In part, of the petition (accompanied by bill, House, No. 3417) of Michael S. Day and others relative to limiting autonomous driving capabilities to zero emission and electric vehicles; and Id.

On the residue, of the petition (accompanied by bill, House, No. 3422) of Ann-Margaret Ferrante and Carlos González relative to the safety of autonomous vehicles; Id.

And recommending that the same severally be recommitted to the committee on Transportation.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to the financial condition of the city of Lynn (House, No. 4302) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Lynn,— finances.

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

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

Subsequently, under suspension of the rules, on motion of Mr. Cahill of Lynn, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, the same member moved to amend it by substitution of a bill with the same title (House, No. 4325), which was read.

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

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 2193 and 2974, a Bill to limit retroactive denials of health insurance claims for behavioral health and substance abuse services (House, No. 4315). Behavioral health,— denials.

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 2475 and 2479, a Bill relative to improving asthma in schools (House, No. 2475). Schools,— asthma.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide for the alternative method of examining competency (House, No. 2801). Social workers.

By the same member, for the same committee, on a petition, a Bill regarding background checks on foster parents (House, No. 2802). Foster parents.

By the same member, for the same committee, on a petition, a Bill to ensure the protection of DCF social workers (House, No. 2803). Social workers.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on Senate, Voting,—

Nos. 369 and 373 and House, Nos. 2080, 2091, 2098, 2099 and 2105, a Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 4320) [Representative Lombardo of Billerica dissenting].

registration.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1856 and 1866, a Bill relative to implementing the Massachusetts yellow dot program (House, No. 1856).

Yellow dot program.

By the same member, for the same committee, on House, Nos. 1842 and 1902, a Bill relative to license plate readers (House, No. 1902).

License plate readers.

By the same member, for the same committee, on a petition, a Bill providing for a Red Star/Blue Star license plate to survivors of firefighters and police officers who have died in the line of duty (House, No. 2762, changed in line 5 by striking out the words “grandchild or spouse of a paid professional” and inserting in place thereof the words “or spouse of a”).

License plates,—
line of duty survivors.

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

Emergency Measure.

The engrossed Bill designating a band stand at the Marine Park in the South Boston section of the city of Boston as the Harry G. Uhlman, Jr. Band Stand (see House, No. 4005, 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.

Boston,—
Uhlman
band stand.

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 15 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 sent to the Senate.

Bill enacted.

Engrossed Bill.

The engrossed Bill to protect access to confidential healthcare (see Senate, No. 2296, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill regulating and insuring short-term rentals (House, No. 4314), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

Short-term rentals.

After remarks on the question on passing the bill to be engrossed, Mr. Whelan of Brewster and other members of the House moved to amend it in section 4 by adding the following paragraph:

“Section 11. No excise shall be imposed, pursuant to this chapter, for a short-term rental if the residential unit is the primary residence of the Host; provided, that said residential unit is the only residence being rented as a short-term rental by the owner.”

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 4, in line 53 and in line 57, by striking out the figures: “15” and inserting in place thereof, in each instance, the figures: “25”. The amendments were adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 9. The Commissioner shall create and make available on the Department’s website an electronic checklist of the residential host requirements established by this act and through regulations.”.

The amendment was adopted.

Mr. Hunt of Boston then moved to amend the bill by adding the following section:

“SECTION 10. Section 1 of chapter 40U is hereby amended by deleting the definition of ‘Unpaid charge,’ and inserting in place thereof the following words:

‘Unpaid charge’, an unpaid fine incurred as a result of a violation of a rule, regulation, order, ordinance or by-law regulating the housing, sanitary or municipal snow and ice removal requirement or related to the use of property for short-term rental use.”.

The amendment was adopted.

Mr. Kaufman of Lexington then moved to amend the bill in section 4, in line 49, by striking out the following: “defined in section 1 of” and inserting in place thereof the words “subject to tax under”. The amendment was rejected.

Ms. Barber of Somerville then moved to amend the bill in section 4, in line 138 by striking out the words “or owners in the building for bodily injury or” and inserting in place thereof the words “and owners in the building for bodily injury and”. The amendment was adopted.

Mr. Honan of Boston then moved to amend the bill in section 4, in line 74, by inserting after the word “basis.” the following sentence: “Any city or town that has a safety inspection program in place as of the effective date of this act may deem any previously completed inspections of residential units to be in compliance with this requirement.”. The amendment was adopted.

Ms. Peake of Provincetown and other members of the House then moved to amend the bill by inserting after section 1 the following section:

“SECTION 1A. Chapter 29C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 18 the following new sections:—

Section 19. There shall be established and set up on the books of the trust a separate fund to be known as the Cape Cod and Islands Water Protection Fund, referred to in this section as the fund. Except as otherwise specifically provided in this section, the provisions of this chapter shall be applicable to the fund. There shall be credited to the fund revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, including but not limited to any investment income earned on the fund’s assets and all other sources, each source being tracked separately for accounting purposes as of June 30 of each year. The trust shall hold the fund in an account or accounts separate from other funds of the trust. Proceeds of the fund shall not be used to offset or otherwise replace contract assistance funds nor shall they be used to offset or otherwise replace reserve funds used for pool financing. The trust shall apply and disburse amounts credited to the fund, without further appropriation, to provide additional subsidies and other assistance, which may include principal forgiveness, to local

governmental units and other eligible borrowers in the payment of debt service costs on loans and other forms of financial assistance made by the trust for water pollution abatement projects in Barnstable, Dukes and Nantucket counties upon approval of an areawide waste management plan under section 208 of the federal Clean Water Act in said counties that is certified, on or after June 1, 2015, by the governor or the governor's designee, referred to in this section as a 208 plan, or a suitable equivalent as established by the department of environmental protection, respectively, for each county. Any such projects shall be consistent with an approved 208 plan, as determined pursuant to paragraph (d) of section 6 of this chapter and may include projects utilizing innovative and alternative Title V technologies that result in nutrient reduction for marine and fresh waters. In the case of projects in the towns of Nantucket, Edgartown, Tisbury and Oak Bluffs subject to the approval of a 208 plan, or suitable equivalent as established by the department of environmental protection, and the towns of Barnstable, Falmouth, Chatham and Provincetown, the fund shall also provide subsidies and assistance as aforesaid with respect to debt incurred by such towns apart from the trust prior to the establishment of the fund. Amounts credited to the fund shall be expended or applied, in a manner determined by, and only with the approval of the Cape Cod and Islands Water Protection Fund Management Board established under section 20 of this chapter, in addition to any approvals required under this chapter. From amounts deposited in the fund, the trust shall transfer to the department of environmental protection ten per cent of the annual revenue deposited into the fund, for the purposes of contracting with a single regional planning agency or non-profit corporation to evaluate and report on the efficacy of adaptive management measures to reduce nitrogen pollution of coastal waterways undertaken pursuant to a 208 plan, to monitor the water quality of areas subject to said study and to support further assessment and water quality modeling to further refine said study. Any amounts remaining in the fund at the end of a fiscal year shall be carried forward into the following fiscal year and shall remain available for application and disbursement without further appropriation. Any municipality included in the fund under this section may opt to withdraw from the fund no sooner than one year after the effective date of this act by a majority vote of its legislative body; provided, however, that a municipality may not withdraw from the fund during the term of any financial assistance award from the fund to said municipality. Any municipality that has withdrawn from the fund and votes, by majority vote of its legislative body, to return to the fund shall not receive money from the fund until at least two years from the date of its vote to do so.

Section 20. There is hereby established a Cape Cod and Islands Water Protection Fund Management Board, referred to in this section as the management board, consisting of 1 person to be appointed by each board of selectmen or town council in each of the municipalities within an areawide waste management plan approved under section 208 of the federal Clean Water Act in Barnstable, Dukes and Nantucket counties, that is certified, on or after June 1, 2015, by the governor or the governor's designee, referred to in this section as a 208 plan; provided, however, that the appointees by the boards of selectmen or town councils shall be either members of their respective appointing authority, its town manager or administrator or other municipally employed professional staff. Each municipality within Barnstable County shall have representation on the management board, and the executive director of the Cape Cod Commission shall serve as an ex-officio member. Each municipality in Dukes County shall have a representative, the executive director of the Martha's Vineyard Commission shall serve as an ex-officio

member, the town manager of Nantucket shall be a member and the Chair of the Nantucket County Commissioners shall serve as an ex-officio member on the management board, upon approval of a 208 plan. Each member of the management board shall serve for a term of 3 years and until a successor is appointed and qualified, and each member of the management board shall be eligible for reappointment. Each member of the management board appointed to fill a vacancy on the management board shall be appointed for the unexpired term of the vacant position. The members of the management board shall select a member to serve as chairperson and vice-chairperson for a term established by vote of the management board. The Cape Cod Commission, in consultation with the Martha's Vineyard Commission, shall provide administrative and technical support to said management board and may be compensated for its associated costs by vote of the management board. The management board duties are limited to determining the method for subsidy allocation and to ensuring that monies from the Cape Cod and Islands Water Protection Fund are spent only for the purposes listed in section 19 of this chapter.”;

In section 4, in line 53, by inserting after the word “host” the following: “; provided further, that an additional excise at the rate of 2.75 percent shall be imposed on an occupant of a residential unit offered for short-term rental within a municipality that is a member of the Cape and Islands Water Protection Trust Fund as established by section 19 of chapter 29C”, and

In line 107, by inserting after the words “town.” the following paragraph:

“Hosts, or by agreement, hosting platforms shall pay any additional excise tax imposed under section 2 for short-term rentals within a municipality that is a member of the Cape and Islands Water Protection Trust Fund to the commissioner at the same time and in the same manner as the state excise tax. All such sums received by the commissioner shall be distributed, credited and paid at least quarterly by the state treasurer upon certification of the commissioner to the Cape and Islands Water Protection Trust Fund.”.

The amendments were adopted.

Mr. Honan of Boston then moved to amend the bill in section 4, in lines 81 to 84, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(d) Any city or town which accepts the provisions of subsection (a) shall distribute an amount equal to 50 per cent of the excise tax collected by professionally managed hosts pursuant to this section to programs addressing either local infrastructure needs or low- and moderate-income housing programs; provided however, that not less than 25 per cent of such excise tax collected by professionally managed hosts shall be distributed to low- and moderate-income housing programs.”.

The amendment was adopted.

Mr. Moran of Boston then moved to amend the bill in section 4, in line 49, by inserting after the word “in” the words “or covered under”; and the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 4, after line 42, by inserting the following paragraph:

“ ‘Rent’, the consideration paid or payable by an occupant to a host for the occupancy of a residential unit for short-term rental; provided, however, that if a separate fee is charged for services, goods or commodities, that fee shall not be included in rent.”.

In line 89, by inserting after the word “chapter.” the following sentence: “Any

city or town that suspends or terminates a host's right to operate a short-term rental for a violation of any ordinance or bylaw shall notify the commissioner of said suspension or termination", and

In line 153, by striking out the following: "chapter 186" and inserting in place thereof the following: "chapters 186 and 239".

The amendments were adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 118 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 318 in Supplement.]

Therefore the bill (House, No. 4327, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 318.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Representative Day of Stoneham then moved that when the House adjourns today, it do so in respect to the memory of Paul E. Means, a member of the House from Stoneham from 1975 to 1978, inclusive; and the motion prevailed.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-two minutes after five o'clock P.M., on motion of Ms. Cronin of Easton (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 26, 2018.

[34]

JOURNAL OF THE HOUSE.

Monday, March 26, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Steadfast God, we ask Your blessing upon our House members and their staff. Watch over those who are visiting this historic building today. Bless our citizens, especially those who are struggling to keep warm during this cold springtime.

Prayer.

Today we lift up in prayer the small Hampshire County town of Chesterfield. Named after the Earl of Chesterfield it was officially incorporated in 1762. The town center has well-preserved Federal period houses along Main Road. With 1,260 residents, the town boasts of a nature reserve called Chesterfield Gorge that is home to large wildlife, including bears and bobcats. The gorge is maintained by the Trustees of Reservation and is continually carved by the Westfield River.

May God continue to bless our Commonwealth.

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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the third grade students from the Claypit Hill School in Wayland. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Ms. Peisch of Wellesley, and were accompanied by Senator Ross.

Wayland,—
Claypit Hill
School.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Thomas S. Perry, Jr. on receiving the Eagle Award of the Boy Scouts of America;

Thomas
Perry.

Resolutions (filed by Ms. Garlick of Needham) congratulating Timothy Melvin on receiving the Eagle Award of the Boy Scouts of America; and

Timothy
Melvin.

Resolutions (filed by Mr. Tucker of Salem) congratulating Cheryl A. LaPointe on her retirement;

Cheryl
LaPointe.

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. 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.

Orders.

An Order (filed by Mr. Galvin of Canton) relative to authorizing the Clerk to republish (as House, No. 4343) the Rules of the House of Representatives for the 190th General Court (2017-2018) containing the additions to the rules that were adopted by the House on March 15, 2018, was referred, under Rule 24, to the committee on Rules.

House Rules,—
republishing.

Mr. Galvin, for said committee, reported that the order (House, No. 4335), ought to be adopted. Under suspension of the rules, on motion of Mr. Day of Stoneham, the order was considered forthwith; and it was adopted.

The following order (filed by Mr. Pignatelli of Lenox) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Friday, April 20, 2018 within which time to make its final report on current House document numbered 4266.

Environment,
Natural
Resources and
Agriculture
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4328), ought to be adopted. Under suspension of the rules, on motion of Mr. Pignatelli, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Benson of Lunenburg) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Wednesday, May 9, 2018 within which time to make its final report on current Senate documents numbered 2318 and 2319, and House documents numbered 4265 and 4268.

State
Administration
and Regulatory
Oversight
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4326), ought to be adopted. Under suspension of the rules, on motion of the same member, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

From the Department of Criminal Justice Information Services (see Section 168 of Chapter 6 of the General Laws) submitting the annual report of the Criminal Record Review Board; and

Criminal
records.

From the Department of Criminal Justice Information Services (see Section 172 of Chapter 6 of the General Laws) submitting the Commissioner Approved Access to Criminal Offender Record Information (CORI) annual report;

Id.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Kulik of Worthington and Senator Rosenberg, a joint

Montague,—

petition (accompanied by bill, House, No. 4340) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) that the town of Montague be authorized to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises in said town. To the committee on Consumer Protection and Professional Licensure.

liquor license.

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4341) of David T. Vieira, Dylan Fernandes and Viriato M. deMacedo (by vote of the town) that the town of Falmouth be authorized to transfer a certain parcel of land in said town to the Falmouth Rod & Gun Club, Inc. To the committee on Municipalities and Regional Government.

Falmouth,—
land.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Cabral of New Bedford, a petition (subject to Joint Rule 12) of Antonio F. D. Cabral for legislation to establish a sick leave bank for Heidi Souza, an employee of the Department of Correction.

Heidi Souza,—
sick leave.

By Representative Ehrlich of Marblehead and Senator Creem, a joint petition (subject to Joint Rule 12) of Lori A. Ehrlich, Cynthia Stone Creem and others for legislation to require the public pension fund to divest from ammunition and firearms.

Pension
fund,—
divestment.

By Representatives Khan of Newton and Decker of Cambridge, a petition (subject to Joint Rule 12) of Kay Khan, Marjorie C. Decker and others for legislation to prohibit police officers from engaging in sexual relations while on duty.

Police,—
sexual
relations.

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

Papers from the Senate.

A Senate Bill to promote and enhance civic engagement (Senate, No. 2375) (on Senate bill No. 2355, amended), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Civic
engagement.

Bills

Relative to voluntary towing reform (Senate, No. 2354) (on Senate bill No. 1342);

Voluntary
towing.

Relative to unsolicited loans (Senate, No. 2357) (on Senate bill No. 143);

Loans.

Relative to manufactured housing communities (Senate, No. 2373) (on Senate bill No. 2344, amended); and

Manufactured
housing.

Relative to financial literacy in schools (Senate, No. 2374) (on Senate bill No. 2343, amended);

Schools
financial
literacy.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Senate Bill designating March as fibromuscular dysplasia awareness month (Senate, No. 1819, amended by inserting before the enacting clause the following emergency preamble:

Fibromuscular
dysplasia
month.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate by proclamation of the Governor the month of March as Fibromuscular Dysplasia Awareness Month, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public

convenience.”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2379) of Bruce E. Tarr, Mark C. Montigny, David F. DeCoste, Joan B. Lovely and other members of the General Court for legislation to finance fishing and farming investment. To the committee on Environment, Natural Resources and Agriculture.

Fishing and farming,— financing.

Petition (accompanied by bill, Senate, No. 2378) of Richard J. Ross for legislation to require professional cleanup following a suspected fentanyl-related incident. To the committee on Mental Health, Substance Use and Recovery.

Fentanyl,— clean up.

Petition (accompanied by bill, Senate, No. 2377) of Karen E. Spilka for legislation relative to gender identity on Massachusetts identification. To the committee on Transportation.

Identification,— gender.

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 petition of Jeffrey N. Roy, Richard J. Ross and Karen E. Spilka for legislation to establish a sick leave bank for Sara Parmenter, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. Walsh of Peabody, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Sara Parmenter,— sick leave.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4300) of Ruth B. Balsler, Cynthia Stone Creem and Rachmiel Liberman relative to the revocation of kosher certification,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Kosher certification.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill electric vehicle charging stations [sic] (House, No. 4069) [Local Approval Received], be scheduled for consideration of the House.

Boston,— electric vehicles.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill providing affordable health insurance options to municipal retirees (printed in House, No. 4313), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal retirees,— health insurance.

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

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

Subsequently under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been 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. Sent to the Senate for concurrence.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to early intervention services for children with prenatal exposure to opioids (House, No. 3847).

Opioids,—
prenatal
exposure.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 500 and 2955, a Bill relative to the safety of autistic and Alzheimer individuals (House, No. 2955).

Autism and
Alzheimer's,—
safety.

By the same member, for the same committee, on House, Nos. 578, 2156, 2174 and 2179, a Bill advancing and expanding access to telemedicine services (House, No. 4332).

Telemedicine.

By the same member, for the same committee, on House, No. 587, a Bill to require written notice of medical tests outside a patient's network for insurance purposes (House, No. 4333).

Medical tests,—
out of
network.

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

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 570 and 2973, a Resolve establishing a commission to study the feasibility of a secure choice retirement savings option (House, No. 4330). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Retirement
savings,—
study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to fair pay for comparable work (House, No. 3150).

Fair pay.

By the same member, for the same committee, on a petition, a Bill relative to background checks by the Department of Youth Services (House, No. 4104).

DYS,—
CORI checks.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 577, a Bill regulating appraisal management companies (House, No. 4331).

Appraisal
companies.

By the same member, for the same committee, on House, No. 2160, a Bill relative to mortgage licensing and exemptions (House, No. 4334).

Mortgage
requirements.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 27 and on a part of House, No. 23, a Bill relative to Lottery compliance investigations (House, No. 4329). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lottery
compliance
investigations.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Essie Page, an employee of the Parole Board (see House, No. 4245), 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.

Essie Page,—
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 5 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 sent to the Senate.

Bill enacted.

Orders of the Day.

House bills

Relative to continuing education of insurance producers (House, No. 507);

Providing for the appointment of a treasurer-collector in the town of Stockbridge (House, No. 4162);

Authorizing the Bristol County Commissioners to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at Bristol County Agricultural School in the town of Dighton (House, No. 4227); and

Establishing a sick leave bank for Elliot Brown, an employee of the Department of Public Health (House, No. 4267);

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.

Third reading bills.

The House Bill designating a certain bridge in the towns of Hanson and Hanover as the Hon. Charles W. Mann bridge (House, No. 3849) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Hanson and Hanover,—Mann bridge.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in lines 1 and 2 by striking out the words “town of Hanson at the Hanover town line” and inserting in place thereof the words “towns of Hanson and Hanover”; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain bridge in the towns of Hanson and Hanover, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendments were adopted; and the bill (House, No. 3849, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the appointment of retired police officers in the city of Cambridge as special police officers within the city for paid detail assignments (House, No. 4143) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Cambridge,—police.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 11 and inserting in place thereof the following two sections:

“SECTION 11. This act shall take effect in the city of Cambridge upon its acceptance by a vote of the city council of the city of Cambridge, but not otherwise.

SECTION 12. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4143, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-eight minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill relative to the financial condition of the city of Lynn (see House, No. 4325) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Recess.

At twenty-seven minutes before one o'clock P.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at a half past one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill providing affordable health insurance options to municipal retirees (see House Bill printed in House, No. 4313), 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.

Municipal retirees,—health insurance.

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 sent to the Senate.

Bill enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At sixteen minutes before two o'clock P.M., on motion of Mrs. Orrall of Lakeville (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MARCH 29, 2018.

[35]

JOURNAL OF THE HOUSE.

Thursday, March 29, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Barber of Somerville in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Refreshment and Re-creation, we give thanks today for the warming temperatures that are bringing signs of new life to our Massachusetts landscape. As we celebrate the crocus and the return of the red-breasted robin, we experience Your gift of hope.

Prayer.

Bless our legislators in this chamber and the efforts of their staff to bring about necessary and useful legislation.

We celebrate today the anniversary of the 1774 incorporation of the town of Ludlow in Hampden County.

Taking advantage of the Chicopee River, Ludlow became a manufacturing center in the mid-19th century. The historic Ludlow clock that appears on the town's seal was built by the Ludlow Company, a manufacturer of yarn and twine.

The town has a population of about 21,000; one out of five residents is Portuguese-American. Ludlow boasts of its affinity for soccer and each year its high school soccer team is ranked among the tops in the Bay State.

We pray for 7th Hampden District Representative Thomas Petrolati and his staff.

May God continue to bless our Commonwealth.

At the request of the Chair (Ms. Barber), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Resolutions.

Resolutions (filed with the Clerk by Messrs. Rogers of Norwood, Kafka of Stoughton, McMurtry of Dedham and Dooley of Norfolk) congratulating Barry D. Greener on the occasion of his retirement, were referred under Rule 85, to the committee on Rules.

Barry Greener.

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

Order.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Wednesday, May 9, 2018 within which time to make its final report on current Senate document numbered 88 and House documents numbered 1970 and 4058.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4349), ought to be adopted. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Labor and Workforce Development committee,— extension of time for reporting.

Communications.

Communications

From the Massachusetts District Attorneys Association (see item 0340-2100 of Section 2 Chapter 133 of the Acts of 2016) detailing by district, the amount of case referrals by the Disabled Persons Protection Commission for fiscal year 2017;

District attorneys,— DPPC referrals.

From the Division of Insurance (see Section 173 of Chapter 133 of the Acts of 2016) submitting a report from the Working Group on Gender Equity in Disability Policies;

Disability insurance,— gender equity.

From the Department of Public Health (see Section 2KKKK of Chapter 29 of the General Laws) submitting the Medical Marijuana Trust Fund annual report; and

Medical marijuana.

From the Department of Public Health (see Section 2RRRR of Chapter 29 of the General Laws) submitting the 2017 Municipal Naloxone Bulk Purchase Trust Fund annual report;

Naloxone,— municipal purchases.

Severally were placed on file.

Annual Reports.

Annual reports

Of the Special Commission on the Status of Grandparents Raising Grandchildren (under Section 69(h) of Chapter 3 of the General Laws) submitting the ninth annual report of its activities for the calendar year 2017; and

Grandparents Raising Grandchildren.

Of the State Lottery Charitable Gaming Division (under Section 38 of Chapter 10 of the General Laws) for the calendar year 2017;

State lottery,— charitable gaming.

Severally were placed on file.

Petitions.

Mr. Dooley of Norfolk presented a petition (accompanied by bill, House, No. 4353) of Shawn Dooley and Richard J. Ross (by vote of the town) that the town of Plainville be authorized to grant additional 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, 3 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises and 5 additional licenses for the sale of wines and malt beverages not to be drunk on the premises; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Plainville,— liquor licenses.

Mr. Cantwell of Marshfield presented a petition (subject to Joint Rule 12) of James M. Cantwell and others for legislation to establish a commission (including members of the General Court) relative to behavioral health promotion and upstream prevention; and the same was referred, under Rule 24, to the committee on

Behavioral health,— commission.

Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Mental Health Substance Use and Recovery. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero and others for legislation to authorize the appointment of retired police officers as school resource officers.

School
resource
officers.

By Mr. Ashe of Longmeadow, a petition (subject to Joint Rule 12) of Brian M. Ashe and others that the Department of Developmental Services be authorized to incorporate an employment program within the Community Based Day Support Services programs.

Developmental
services,—
employment
program.

By Messrs. Cutler of Duxbury and Cantwell of Marshfield, a petition (subject to Joint Rule 12) of Josh S. Cutler for legislation to designate a certain intersection in the town of Pembroke as the Francis P. Hayes, Jr., memorial square.

Pembroke,—
Hayes
square.

By Mr. González of Springfield, a petition (subject to Joint Rule 12) of Carlos González and others for legislation to authorize municipalities to establish reduced maximum tow rates during certain declared emergencies.

Towing rates,—
emergencies.

By Mr. Livingstone of Boston, a petition (subject to Joint Rule 12) of Jay D. Livingstone and others for legislation to authorize voting on weekends.

Voting,—
weekends.

By Mr. Vargas of Haverhill, a petition (subject to Joint Rule 12) of Andres X. Vargas for legislation to establish a sick leave bank for Sonia Morales, employee of the Department of Youth Services.

Sonia
Morales,—
sick leave.

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

Paper from the Senate.

A Bill relative to clarifying property tax exemptions for solar and wind systems (Senate, No. 2364) (on Senate bill No. 2160), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Solar and
wind systems.

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 petition of Keiko M. Orrall, Michael J. Rodrigues and Carole A. Fiola for legislation to authorize the commissioner of Capital Asset Management and Maintenance to release certain land in the town of Berkley from the operation of an agricultural preservation restriction. Under suspension of the rules, on motion Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Berkley,—
land.

Mr. Galvin of Canton, for the committee on Rules, on the Order relative to authorizing the committee on Election Laws to make an investigation and study of certain House documents concerning matters relative to election laws (House, No.

Payroll
deductions,—
contributions.

4252) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3140) of Michelle M. DuBois and others relative to payroll deductions for voluntary contributions to not-for-profit social welfare organizations and political action committees,— and recommending that the same be recommitted to the committee on Election Laws. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the tenure of office of the city clerk of the city of Revere (House, No. 4264) [Local Approval Received], be scheduled for consideration by the House.

Revere,—
city clerk.

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

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill financing improvements to municipal roads and bridges (printed in House, No. 4237), ought to pass with an amendment adding the following section:

Municipal
roads and
bridges.

“SECTION 4. There shall be a commission to study the distribution of Chapter 90 grants, for the construction and reconstruction of municipal ways as described in clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws. The commission shall examine the current formula used to distribute said grants to municipalities, evaluate the effectiveness and equity of said formula, and make recommendations to establish a formula that considers the current needs of municipalities.

The commission shall review all aspects of municipal road and bridge financing, including (i) the current allocation of Chapter 90 grants; (ii) the reflectiveness of municipalities’ needs in the proportional distribution of the Chapter 90 grants; (iii) any equity disparities that exist among municipalities, related to Chapter 90 grant distribution; and (iv) any alternative formulas that may create a more equitable distribution of Chapter 90 grants.

The commission shall consist of the following members: (1) the secretary of the executive office for administration and finance, or a designee; (2) the secretary of the Massachusetts department of transportation, or a designee; (3) the secretary of the executive office of housing and economic development, or a designee; (4) the senate chair of the joint committee on transportation; (5) the house chair of the joint committee on transportation; (6) the chair of the senate committee on bonding, capital expenditures, and state assets; (7) the chair of the house committee on bonding, capital expenditures, and state assets; (8) 1 member appointed by the minority leader of the house of representatives; (9) 1 member appointed by the minority leader of the senate; and (10) 4 persons appointed by the governor, as follows: (i) 1 representative from the Massachusetts Municipal Association; (ii) 1 representative from the Transportation for Massachusetts Coalition (T4MA); (iii) 1 representative from the Massachusetts Taxpayers Foundation; and (iv) 1 representative from the Public Policy Center at the University of Massachusetts Dartmouth.

The commission shall file a report of its findings and recommendations, including any new or revised Chapter 90 grant distribution formulas, with the clerks of the senate and house of representatives and the chairs of the senate and house committees on ways and means no later than January 1, 2019.” [Bond Issue: General Obligation Bonds: \$200,000,000.00]. Referred, under Rule 33, to the

UNCORRECTED PROOF.

committee on Ways and Means, with the amendment pending.

By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill relative to public safety at the intersection of Brush Hill Road and Truman Parkway in Milton (House, No. 3638). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Milton,—
traffic study.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to sheet metal work (House, No. 131).

Sheet metal,—
regulations.

By the same member, for the same committee, on Senate, No. 165 and House, No. 133, a Bill to modernize public accountancy (House, No. 133).

Public
accountancy.

By the same member, for the same committee, on Senate, No. 151 and House, Nos. 138, 154, 2001 and 2828, a Bill requiring transparency in telephone solicitations (House, No. 138).

Telephone
solicitations.

By the same member, for the same committee, on a petition, a Bill further regulating storage of alcoholic beverages (House, No. 141).

Alcoholic
beverages.

By the same member, for the same committee, on a petition, a Bill relative to debt collection licensure (House, No. 1982).

Debt collection
licensure.

By the same member, for the same committee, on House, Nos. 24 and 25 and on a part of House, No. 23, a Bill relative to civil violations (House, No. 4350).

Civil violations,—
alcoholic beverages.

By the same member, for the same committee, on House, No. 28 and on a part of House, No. 23, a Bill relative to Keno licenses (House, No. 4351).

Keno
licenses.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill improving recycling in the Commonwealth (House, No. 2686).

Recycling,—
solid waste.

By the same member, for the same committee, on a petition, a Bill relative to aggregated gas power (House, No. 2694).

Natural gas,—
aggregation.

By the same member, for the same committee, on a petition, a Bill relative to improving public safety in excavation (House, No. 3388).

Excavation,—
safety.

By the same member, for the same committee, on a petition, a Bill relative to expanding resource efficiency in the Commonwealth (House, No. 3404).

Natural
resources.

By the same member, for the same committee, on a petition, a Bill promoting the proper disposal of miniatures (House, No. 3528).

Bottle bill,—
miniatures.

By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill relative to beneficiary designation on motor vehicle registration (House, No. 1827).

Vehicle
registration.

By the same member for the same committee, on a petition, a Bill promoting personal access of driving records (House, No. 1868).

Driving
records.

By the same member, for the same committee, on a petition, a Bill relative to Massachusetts Civil Air Patrol vehicles and trailers (House, No. 1908).

Civil air
patrol.

By the same member, for the same committee, on a joint petition, a Bill establishing the Blue Star Family license plate (House, No. 1916).

Blue Star
Families.

By the same member, for the same committee, on a petition, a Bill relative to aviation vegetation management plans (House, No. 3426).

Aviation,—
vegetation.

By the same member, for the same committee, on a petition, a Bill relative to automobile technology (House, No. 3440).

Automobile
technology.

By the same member, for the same committee, on a petition, a Bill relative to public safety related to Blue Hills Trail Crossings Route 28 and Route 138 in Milton (House, No. 3639).

Milton,—
Blue Hills
Trail.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill relative to public safety and active shooter situations (House, No. 3642).

By the same member, for the same committee, on House, Nos. 1790, 1850 and 2733, a Bill relative to temporary registration plates (House, No. 4342).

By the same member, for the same committee, on House, No. 2734, a Bill making technical corrections to the aeronautics laws of the Commonwealth (House, No. 4345).

By the same member, for the same committee, on House, No. 2758, a Bill relative to the eligibility determination for 'THE RIDE' Program (House, No. 4346).

By the same member, for the same committee, on House, No. 3413, a Bill relative to autocycle motor vehicle definition and operating requirements (House, No. 4347).

By the same member, for the same committee, on House, No. 3429, a Bill relative to improving passenger rail service between Springfield and Boston (House, No. 4348).

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 139, a Bill requiring fair housing training for real estate agents and brokers (House, No. 4352).

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relating to road building equipment classifications (House, No. 1851).

By the same member, for the same committee, on House, No. 1859, a Bill increasing the penalty for tailgating emergency vehicles (House, No. 4344).

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

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Transportation buildings.

Motor vehicles,—temporary plates.

Aeronautics laws.

The Ride program,—eligibility.

Autocycles.

Springfield and Boston,—rail service.

Real estate,—fair housing training.

Road building equipment.

Emergency vehicles,—tailgating.

Next sitting.

At nine minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Ms. Barber of Somerville being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, APRIL 2, 2018.

[36]

JOURNAL OF THE HOUSE.

Monday, April 2, 2018.

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 Prayer.

At the request of Mrs. Ferguson of Holden, the members, guests and employees stood in a moment of silent prayer in recognition of World Autism Awareness Day.

Autism Awareness Day.

World Autism Awareness Day is an internationally recognized event when the United Nations reaffirms its "commitment to promote the full participation of all people with autism, and ensure they have the necessary support to be able to exercise their rights and fundamental freedoms".

Autism spectrum disorder (ASD) affects about 1% of the world's population, according to the Centers for Disease Control and Prevention (CDC). This year's World Autism Awareness Day is focused on supporting women and girls who have been diagnosed with the condition.

Resolutions.

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

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Kevin Beck on receiving the Eagle Scout Award of the Boy Scouts of America;

Kevin Beck.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Drew Harrison on receiving the Eagle Scout Award of the Boy Scouts of America;

Drew Harrison.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Tyler Orton on receiving the Eagle Scout Award of the Boy Scouts of America;

Tyler Orton.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Daniel Shipman on receiving the Eagle Scout Award of the Boy Scouts of America;

Daniel Shipman.

Resolutions (filed by Ms. Cronin of Easton) congratulating Cole Branagan of the town of Easton on his elevation to the rank of Eagle Scout; and

Cole Branagan.

Resolutions (filed by Mr. Smola of Warren) commemorating the retirement of Sergeant Joseph R. LaFlower from the Warren Police Department;

Joseph LaFlower.

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

Communications.

Communications

From the Secretary of Public Safety and Security submitting the 2016 annual report of the Colonel of the State Police (see Section 131Q of Chapter 140 of the General Laws) regarding crimes committed in the Commonwealth using firearms, rifles or shotguns, large capacity weapons, machine guns or assault weapons and other categories and data identified in said law; and

State Police
Crime Gun
report.

From the Secretary of Public Safety and Security submitting the 2017 annual report of the Colonel of the State Police (see Section 131Q of Chapter 140 of the General Laws) regarding crimes committed in the Commonwealth using firearms, rifles or shotguns, large capacity weapons, machine guns or assault weapons and other categories and data identified in said law;

Id.

Severally were placed on file.

Petitions.

Ms. Provost of Somerville presented a petition (accompanied by bill, House, No. 4365) of Denise Provost and others (with the approval of the mayor and city council) that the Somerville Retirement Board be authorized to divest from fossil fuel companies; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Somerville,—
fossil fuel
divestment.

Mr. Donato of Medford presented a petition (subject to Joint Rule 12) of Paul J. Donato that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land in the city of Medford to North Shore Residential Development, Inc.; and the same was referred, under Rule 24, to the committee on Rules.

Medford,—
land.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of the same member, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero, Eileen M. Donoghue and another for legislation to authorize the State Retirement Board to grant creditable service to Paegan Deering, an employee of the Department of Environmental Protection.

Paegan
Deering,—
retirement.

By Mr. Madaro of Boston, a petition (subject to Joint Rules 12 and 9) of Adrian Madaro for legislation to exempt a certain parcel of land in the East Boston section of the city of Boston from any designated port area.

Boston,—
land.

By Representative Mark of Peru and Senator Hinds, a joint petition (subject to Joint Rule 12) of Paul W. Mark and Adam G. Hinds for legislation to authorize the Teachers' Retirement Board to grant creditable service to Rachel Porter.

Rachel
Porter,—
retirement.

By Mr. Moran of Lawrence, a petition (subject to Joint Rule 12) of Frank A. Moran for legislation to establish a sick leave bank for Felix Cruz, an employee of the Department of Youth Services.

Felix
Cruz,—
sick leave.

By Representative Walsh of Peabody and Senator Lovely, a joint petition (subject to Joint Rule 12) of Thomas P. Walsh and Joan B. Lovely for legislation to establish a sick leave bank for George Hodgdon, an employee of the Trial Court. Severally, under Rule 24, to the committee on Rules.

George Hodgdon,—
sick leave.

Papers from the Senate.

The following order (having been approved by the committees on Rules of the two branches, acting concurrently), came from the Senate with the endorsement that it had been adopted by said branch:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until May 2, 2018, within which time to make its final report on current Senate documents numbered 756, 778, 787, 806, 822, 825, 885, 962, 969, 1177, and 2311, relative to judiciary matters.

Judiciary,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Ms. Cronin of Easton, the order (Senate, No. 2359), was considered forthwith; and it was adopted, in concurrence.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2388) of Cynthia S. Creem and Ruth B. Balsler for legislation relative to kosher food signage. To the committee on Consumer Protection and Professional Licensure.

Kosher food,—
signage.

Petition (accompanied by bill, Senate, No. 2390) of Cynthia Stone Creem for legislation to promote student nutrition. To the committee on Education.

Students,—
nutrition.

Petition (accompanied by bill, Senate, No. 2389) of James B. Eldridge for legislation to ensure a free and open internet in the Commonwealth. To the committee on Telecommunications, Utilities and Energy.

Net
neutrality.

The following notice was received from the Clerk of the Senate, to wit:—

April 2, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Harriette L. Chandler, President of the Senate, has announced the following appointments that were ratified by the Majority Party:

Committee
appointments.

Michael O. Moore

- Resigned as Chairman of Municipalities and Regional Government (at his own request)

Brendan P. Crighton

- Municipalities and Regional Government, Chair
- Housing, Vice Chair
- Economic Development and Emerging Technologies, member
- Mental Health, Substance Use and Recovery, member
- Transportation, member

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 petition of Antonio F. D. Cabral for legislation to establish a sick leave bank for Heidi Souza, an employee of the Department of Correction. Under suspension of the rules, on motion Mr. Galvin of Canton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Heidi
Souza,—
sick leave.

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

Senate bills

Designating March as fibromuscular dysplasia awareness month (Senate, No. 1819, amended); and

Fibromuscular
dysplasia.

Relative to the General Lafayette Trail (Senate, No. 2265); and

Lafayette Trail.

The House Bill relative to elections in the city known as the town of Greenfield (House, No. 2778) [Local Approval Received];

Greenfield,—
elections.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill ensuring equal access to services for all residents of the Commonwealth (House, No. 2804) [Representatives Rogers of Norwood, O'Connell of Taunton and Crocker of Barnstable dissenting].

Services,—
equal access.

By the same member, for the same committee, on a petition, a Bill relative to the Children's Behavioral Health Initiative (House, No. 3463).

Children,—
behavior.

By the same member, for the same committee, on a petition, a Bill relative to enhancing public transparency to support quality care outcomes in all child serving organizations (House, No. 3801).

Childrens'
organizations,—
quality.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on Senate, No. 1109 and House, No. 1067, a Bill to improve access to care by removing barriers to practice for psychiatric clinical nurse specialists (House, No. 4355).

Psychiatric
clinical nurse
specialists.

By the same member, for the same committee, on House, Nos. 2401 and 3257, a Bill relative to community policing and behavioral health (House, No. 4356).

Behavioral
health.

By the same member, for the same committee, on House, No. 3498, a Bill improving the mental health examination process of inmates at places of detention (House, No. 4357).

Inmates,—
mental health
examinations.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill renaming the Yawkey commuter rail station on the Worcester—

Yawkey
station,—
renaming.

Framingham line (House, No. 3887). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill providing for a study by the Executive Office of Health and Human Services relative to nonprofit group homes (House, No. 118).

Nonprofit group homes.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill providing for a study relative to the necessity of certain snow safety procedures (House, No. 1259).

Snow safety,— study.

By the same member, for the same committee, on a petition, a Bill relative to vertical reciprocating conveyors (House, No. 1263).

Conveyors.

By the same member, for the same committee, on a petition, a Bill clarifying the prevailing wage law (House, No. 1264).

Prevailing wages.

By the same member, for the same committee, on a petition, a Bill concerning the safety of school children embarking and disembarking school buses (House, No. 1271).

School bus safety.

By the same member, for the same committee, on a petition, a Bill allowing a benefits transfer for Paul Scott Noe, an employee of the Trial Court (House, No. 1274).

Paul Scott Noe,— benefits.

By the same member, for the same committee, on a petition, a Bill relative to elevator inspection fees (House, No. 1279).

Elevator inspections.

By the same member, for the same committee, on a petition, a Bill relative to elevator inspections for small towns (House, No. 1286).

Id.

By the same member, for the same committee, on a petition, a Bill requiring carbon monoxide alarms in schools (House, No. 1288).

Schools,— carbon monoxide.

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to non-resident firearm licensing (House, No. 1265).

Firearms licensing,— non-residents.

By the same member, for the same committee, on a petition, a Bill relative to unloaded rifles or shotguns (House, No. 1287).

Unloaded firearms.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following bills be scheduled for consideration by the House:

The Senate Bill relative to the appointment of retired police officers in the town of Essex (Senate, No. 2271); and

Essex,— retired police.

House bills

Providing for continuing education credits flexibility (House, No. 19);

Education.

Relative to the retirement classification of Boston school police officers (House, No. 1363) [Local Approval Received];

Boston,— school police.

Relative to death benefits to surviving spouses of call and volunteer firefighters (House, No. 1388);

Call, etc. firefighters.

Relative to protecting the rights of custodial and other non-teaching employees of school districts (House, No. 1390);

School employees.

Relative to the Massachusetts Water Resources Authority (House, No. 2519);

MWRA.

Providing for an early retirement incentive program for employees of the

Massport,—

Massachusetts Port Authority (House, No. 2566);

Relative to child-centered family law (House, No. 3090);

To increase residency preference for appointment at Boston Police Department and Boston Fire Department to three years (House, No. 3537) [Local Approval Received]; and

Relative to accidental disability retirement for Jan Witkowski (House, No. 3790);

Severally placed in the Orders of the Day for the next sitting for a second reading.

retirement.

Family law.

Boston,—
residency.

Jan Witkowski,—
benefits.

Engrossed Bills.

Engrossed bills

Establishing a special fund in the town of Westborough (see House, No. 4028, amended);

Establishing the appointed office of town clerk in the town of Ayer (see House, No. 4077);

Establishing the appointed office of tree warden in the town of Ayer (see House, No. 4078); and

Establishing the appointed office of treasurer-collector in the town of Ayer (see House, No. 4079);

(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.

Bills
enacted.

Orders of the Day.

The Senate Bill designating a section of state highway Route 10 and United States highway Route 202 in the town of Southwick as the Purple Heart Trail (Senate, No. 2105), 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.

Southwick,—
Purple Heart
Trail.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At thirteen minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, APRIL 4, 2018.

[37]*

JOURNAL OF THE HOUSE.

Wednesday, April 4, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice and Peace we pray for our elected officials and their staff.

Prayer.

Today our nation commemorates the 50th anniversary of the assassination of Dr. Martin Luther King Jr.

King earned his doctorate in systematic theology while a student at Boston University from 1951 to 1955. His mentor at B.U. was Howard Thurman, the dean of Marsh Chapel who helped develop King's interest in the notion of civil disobedience.

While a student at B.U., King met his future wife Coretta Scott who was a student at the nearby New England Conservatory School of Music.

We give thanks for this courageous minister of peace and justice and for his legacy that continues to inspire many Americans.

May God continue to bless our Commonwealth.

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.

Official Memorial Remembrance Ceremony in Respect to the Memory of Representative Peter V. Kocot.

The Speaker being in the Chair, a memorial remembrance ceremony in respect to the memory of the late Peter V. Kocot, a member of the House of Representatives from Northampton from 2002 to 2018, inclusive, commenced in the House Chamber at half past two o'clock P.M.

Representative Peter V. Kocot of Northampton,—
memorial ceremony.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to consumer access to residential energy information (House, No. 4371), was filed in the office of the Clerk on Tuesday, April 3.

Residential energy.

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

Appointments of the Minority Leader.

The Minority Leader announced that he had made the following appointments:

That he had appointed Frank Cousins, Jr., President of the Greater Newburyport Chamber of Commerce & Industry to the special commission established (under Chapter 1 of the Resolves of 2016) to consider the viability of establishing a designed space or facility on the Esplanade, Madison Park high school or another location in the city of Boston to commemorate the visit of Nelson Mandela to the city of Boston in June 1990 and the speech given by him on the Esplanade and at Madison Park high school; and

Nelson
Mandela
visit,—
commemoration.

That he had appointed Teresita Ramos of Wellesley to the special commission established (under Section 65 of Chapter 138 of the Acts of 2017 and pursuant to section 2A of chapter 4 of the General Laws) to investigate and study the current collection and dissemination of school district and statewide data relative to school-age English learners.

School-age
English
learners,—
data.

Statement Concerning Representative Calter of Kingston.

A statement of Mrs. Haddad of Somerset concerning Mr. Calter of Kingston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Calter of Kingston, is unable to be present in the House Chamber for today's sitting due to his being on official business outside of the country. His missing of roll calls today and tomorrow will be due entirely to the reason stated.

Statement
concerning
Mr. Calter of
Kingston.

Statement Concerning Representative Vieira of Falmouth.

A statement of Mrs. Poirier of North Attleborough concerning Mr. Vieira of Falmouth was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Vieira of Falmouth, is unable to be present in the House Chamber for today's sitting due to his being on official business outside of the country. His missing of roll calls today and tomorrow will be due entirely to the reason stated.

Statement
concerning
Mr. Vieira of
Falmouth.

Statement Concerning Representative Walsh of Framingham.

A statement of Mr. Rushing of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber for today's sitting due treatment at Dana Farber that does not permit him to be present at the formal session. His missing of roll calls today and tomorrow will be due entirely to the reason stated.

Statement
concerning
Mr. Walsh of
Framingham.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced sixth grade students, including Lillian Golden, the daughter of Representative Thomas A. Golden of Lowell, from Notre Dame Academy in Tyngsboro. They were the guests of Mr. Golden. At the invitation of

Tyngsboro,—
Notre Dame
Academy.

the Chair, the students participated in the pledge of allegiance to the flag.

Resolutions.

Resolutions (filed with the Clerk by Mr. Kulik of Worthington and other members of the House) commending the Admetech Foundation on hosting the tenth annual Prostate Cancer Awareness Day at the Massachusetts State House on April 12, 2018, were referred under Rule 85, to the committee on Rules.

Prostate Cancer Awareness Day.

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

Communications.

Communications

From the Department of Elementary and Secondary Education (see Section 1P(g) of Chapter 284 of the Acts of 2014) submitting the third annual report of the Safe and Supportive Schools Commission; and

Safe and supportive schools.

From the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. (see Section 7 of Chapter 306 of the Acts of 2008) submitting the annual report of said conservancy for calendar year 2017, entitled “The Greenway”;

Rose Fitzgerald Kennedy Greenway.

Severally were placed on file.

Annual and Special Reports.

The annual report of the Division of Administrative Law Appeals (pursuant to Section 4H of Chapter 7 of the General Laws) for calendar year 2017; and

Administrative Law Appeals.

A report of the Department of Transportation, Rail and Transit Division (under Subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) submitting a report outlining the net operating investment per passenger mile ratio for fiscal years 2016 through 2020;

Rail and Transit Division,—operating investments.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Ayers of Quincy, a petition (subject to Joint Rule 12) of Bruce J. Ayers and others for an investigation by a special commission (including members of the General Court) relative to the feasibility of establishing a time limit for handicapped parking placard use in metered spots.

Handicap parking,—study.

By Mr. Diehl of Whitman (by request), a petition (subject to Joint Rule 12) of Sam Bourne relative to housing for persons age 55 and older.

Housing,—over 55.

By Mr. Goldstein-Rose of Amherst, a petition (subject to Joint Rule 12) of Solomon Goldstein-Rose that the commissioner of Energy Resources and the commissioner of Revenue be authorized to ensure that carbon pollution prices are charged on all sales of petroleum.

Petroleum sales—pollution.

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

Paper from the Senate.

A petition of Michael D. Brady for legislation to establish a sick leave bank for Shane T. Craven, an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Shane
Craven,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2393) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C), an Order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4366) (for order, see House, No. 4368). The order was considered forthwith; and it was adopted.

Supplemental
appropriations,—
procedures.

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 Timothy R. Whelan and William L. Crocker, Jr., relative to licensing of liquor retailers. To the committee on Consumer Protection and Professional Licensure.

Liquor
retailers,—
licensing.

Petition (accompanied by bill) of James Arciero and others for legislation to authorize the appointment of retired police officers as school resource officers. To the committee on Education.

School
resource
officers.

Petition (accompanied by bill) of Daniel Cahill for legislation to authorize rental grow facilities for marijuana plant cultivation. To the committee on Marijuana Policy.

Marijuana,—
cultivation.

Petition (accompanied by bill) of James J. O'Day and others relative to the treatment of substance use disorders. To the committee on Mental Health, Substance Use and Recovery.

Substance
use disorders.

Petition (accompanied by bill) of Frank A. Moran for legislation to establish a sick leave bank for Felix Cruz, an employee of the Department of Youth Services. To the committee on Public Service.

Felix Cruz,—
sick leave.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 4231, reported, in part, a Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4366) [Total appropriation: \$131,250,683.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
appropriations.

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

UNCORRECTED PROOF.

Under suspension of the rules, on motion of Mr. Galvin of Canton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill financing improvements to municipal roads and bridges (printed in House, No. 4237), ought to pass with an amendment substituting a bill with the same title (House, No. 4367).

Municipal roads and bridges.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets and the amendment recommended by the committee on Ways and Means, pending.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Galvin of Canton, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4367) was ordered to a third reading.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 2808 and 2809, a Bill relative to students of chiropractic (House, No. 2809).

Chiropractic students.

By the same member, for the same committee, on a petition, a Bill providing for provisional licensure for speech-language pathologists (House, No. 2825).

Language pathology.

By the same member, for the same committee, on House, No. 2821, a Bill to establish standards for medical gas piping systems (House, No. 4360).

Medical gas.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 2201, a Bill relative to qualified health plans (House, No. 4362).

Qualified health plans.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill establishing a commission to study post-traumatic stress disorder in law enforcement officers (House, No. 1255).

Law enforcement,—study.

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

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on a petition, a Bill establishing a commission to study the financial abuse of elders (House, No. 2895). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Elders,—financial abuse.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to sheet metal work (House, No. 193).

Sheet metal.

By the same member, for the same committee, on House, No. 146, a Bill to create a statewide septic license (House, No. 4358).

Septic license.

By the same member, for the same committee, on House, No. 2812, a Bill relative to the licensure of swimming pool builders and service contractors (House, No. 4359).

Pool builders.

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on a petition, a Bill relative to establishing multi-disciplinary teams with district

Elder abuse.

UNCORRECTED PROOF.

attorneys to investigate elder abuse (House, No. 345).

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill promoting political participation (House, No. 3140) [Representatives Boldyga of Southwick and Lombardo of Billerica dissenting].

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to jet ski safety (House, No. 1234).

By the same member, for the same committee, on a petition, a Bill relative to the Department of Fire Services Commission (House, No. 1236).

By the same member, for the same committee, on a petition, a Bill to establish a prepaid wireless E911 surcharge (House, No. 1238).

By the same member, for the same committee, on a petition, a Bill relative to fire safety of state-owned buildings, structures and property (House, No. 1244).

By the same member, for the same committee, on a petition, a Bill relative to American Sign Language Training (House, No. 1250).

By the same member, for the same committee, on a petition, a Bill relative to combustible gas detectors (House, No. 1252).

By the same member, for the same committee, on a petition, a Bill to further define public-employee safety with regard to; trenching and excavation; and confined space work [sic] (House, No. 1254).

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to elevator inspections (House, No. 1232).

By the same member, for the same committee, on a petition, a Bill related to state fire code enforcement reporting (House, No. 1256).

By the same member, for the same committee, on a petition, a Bill relative to seat belts on school buses (House, No. 1257).

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

Relative to Mass Port police officers (House, No. 1460); and

To improve child safety (House, No. 3657);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed bills

Designating a certain bridge in the town of Needham as the James J. Delaney II, USMC Veterans Memorial Bridge (see Senate, No. 1985, changed and amended); and

Designating a section of state highway Route 10 and United States highway Route 202 in the town of Southwick as the Purple Heart Trail (see Senate, No. 2105);

(Which severally originated in the Senate);

Political participation.

Jet skis,— safety.

Fire Services Commission.

E911 surcharge.

Fire safety.

Sign language,— training.

Gas detectors.

Trenching and excavation,— safety.

Elevator inspections.

Fire code,— reporting.

School buses,— seatbelts.

Massport.

Child safety.

Bills enacted.

UNCORRECTED PROOF.

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.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to the tenure of office of the city clerk of the city of Revere (House, No. 4264), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Vincent of Revere.

Revere,—
city clerk.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4369), 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 authorizing the town of Lynnfield to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4289) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Jones of North Reading.

Lynnfield,—
alcoholic
beverages.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4370), which was read.

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

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed until a quarter past one o'clock P.M.; and at nineteen minutes past one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bill – Land Taking.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Revere (see House, No. 3995) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Revere,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 319.

[See Yea and Nay No. 319 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Papers from the Senate.

The House Bill implementing the joint recommendations of the Massachusetts criminal justice review (House, No. 4012), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2391.

Criminal
justice
review.

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 Speaker being in the Chair,—

A report, in part, of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4043) to the Senate Bill relative to criminal justice reform (Senate, No. 2200, amended), recommending passage of a bill with the same title (Senate, No. 2371), came from the Senate with the endorsement that it had been accepted by said branch.

Criminal
justice
reform.

Under suspension of the rules, on motion of Ms. Cronin of Easton, the report (having been reported by the committees on Bills in the Third Reading of the two branches to be correctly drawn) was considered forthwith.

Conference
committee report
accepted,—
yea and nay
No. 320.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 148 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 320 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Mr. Donato of Medford being in the Chair,—

A report, on the residue, of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4043) of the Senate Bill relative to criminal justice reform (Senate, No. 2200, amended), recommending passage of a Bill establishing a Garden of Peace trust fund (Senate, No. 2372) (its title having been changed by the committees on Bills in the Third Reading of the two branches), came from the Senate with the endorsement that it had been accepted by said branch.

Garden
of Peace.

Under suspension of the rules, on motion of Ms. Cronin of Easton, the report (having been reported by the committees on Bills in the Third Reading of the two branches to be correctly drawn) was considered forthwith; and it was accepted, in concurrence.

A petition (accompanied by bill) of Marc R. Pacheco and Keiko M. Orrall for legislation to release certain land in Berkley from the preservation of an agricultural preservation restriction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Berkley,—
land.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2395) was referred, in concurrence, to

the committee on State Administration and Regulatory Oversight.

Emergency Measure.

The engrossed Bill relative to criminal justice reform (see Senate, No. 2371), 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.

Criminal
justice
reform.

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 17 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 sent to the Senate.

Bill
enacted.

Engrossed Bill – Land Taking.

The engrossed Bill establishing a Garden of Peace trust fund (see Senate, No. 2372) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Garden
of Peace.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 321.

[See Yea and Nay No. 321 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill implementing the joint recommendations of the Massachusetts criminal justice review (see House, No. 4102, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Wong of Saugus then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twelve minutes after five o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

UNCORRECTED PROOF.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, APRIL 5, 2018.

[38]*

JOURNAL OF THE HOUSE.

Thursday, April 5, 2018.

Met according to adjournment at eleven o'clock A.M., 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.

Resignation of Representative Cantwell of Marshfield.

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

April 2, 2018

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

Dear Mr. Clerk:

Thank you for your dedication to making our Massachusetts House of Representatives operate in a productive, efficient, and orderly manner. I appreciate your personal friendship and the many kindnesses you have bestowed upon me over these ten years.

I'm writing to provide notice that I have accepted a new position in public service as State Director for US Senator Ed Markey's Office. Accordingly, I will resign as a member of the House of Representatives, representing the people of the 4th Plymouth District, at the end of business on Friday, April 6.

This is a bittersweet decision for me. It has been the greatest honor of my professional life to serve the people of Marshfield and Scituate as their State Representative. I've been blessed to serve with great legislators and terrific personal staff, including: Michael Verseckes, Micah Flores, Meghan McDonald, Ben Thomas, and Gigi Mirarchi. Working as a team with some very talented legislators, staff, and residents we've made significant improvements to our collective quality of life in Massachusetts; on issues that run the gambit (A-Z), from autism to zoning reform. I'm specifically proud of work we have done on coastal adaptation, creating a coastal protection/seawall fund, combating opioid abuse, promoting the Massachusetts seafood industry, and protecting the civil rights of the disabled. I'm most proud of having been appointed by Speaker DeLeo as the House Chair of the Legislative Commission on Behavioral Health Promotion and Upstream Prevention. In fact, I'll be filing the Commission's final report with you this week! I will always

Resignation of
Representative
James M.
Cantwell of
Marshfield.

UNCORRECTED PROOF.

look back on my years as a State Rep. with pride and welcome new challenges and opportunities as Senator Markey's State Director.

Best wishes for you and all here at the State House for your dedication and service to our Commonwealth.

Sincerely,
JAMES M. CANTWELL
State Representative
4th Plymouth District

Valedictory Address.

The Speaker being in the Chair,—

There being no objection, Mr. Cantwell of Marshfield addressed the House regarding his departure from service in the House of Representatives.

Valedictory address.

Distinguished Guests.

The Speaker announced that in attendance, during the session, were many distinguished guests, including United States Senator Edward M. Markey, State Auditor Suzanne M. Bump, Senator Patrick M. O'Connor, former Congressman William D. Delahunt and former Secretary of Human Services of Massachusetts Philip W. Johnston.

Distinguished guests.

Statement Concerning Representative Fernandes of Falmouth.

A statement of Mrs. Haddad of Somerset concerning Mr. Fernandes of Falmouth was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Fernandes of Falmouth, is unable to be present in the House Chamber for today's sitting due to his being on official business outside of the State House. His missing of roll calls today and tomorrow will be due entirely to the reason stated.

Statement concerning Mr. Fernandes of Falmouth.

Statement of Representative Gentile of Sudbury.

A statement of Mr. Gentile of Sudbury was spread upon the records of the House, as follows:

MADAM. SPEAKER: I would like to call to the attention of the House the fact that I was not be present in the House Chamber for a portion of yesterday's sitting due to official business in another part of the State House, during which I not informed of the taking of Yea and Nay No. 321. If I had been present for that roll call, I would have voted in the affirmative.

Statement of Mr. Gentile of Sudbury.

Statement Concerning Representative Silvia of Fall River.

A statement of Mr. Moran of Boston concerning Mr. Silvia of Fall River was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that

Statement concerning

UNCORRECTED PROOF.

one of our colleagues, Representative Silvia of Fall River, is unable to be present in the House Chamber for today's sitting due to his being on official business outside of the country. His missing of roll calls today is due entirely to the reason stated.

Mr. Silvia
of Fall River.

Statement Concerning Representative Walsh of Framingham.

A statement of Mr. Rushing of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber for today's sitting due treatment at Dana Farber that does not permit him to be present at the formal session His missing of roll calls today and tomorrow will be due entirely to the reason stated.

Statement
concerning
Mr. Walsh of
Framingham.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Thomas Scott Surette on receiving the Eagle Award of the Boy Scouts of America;

Thomas
Surette.

Resolutions (filed by Ms. DiZoglio of Methuen) recognizing the U.S. Navy Petty Officer Caitlin E. Trask Memorial Bridge;

Caitlin
Trask Bridge.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Kathleen A. Parker on a lifetime of service to the town of Plainville;

Kathleen
Parker.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Robert Rose on a lifetime of service to the town of Plainville;

Robert
Rose.

Resolutions (filed by Mr. Galvin of Canton) honoring Francis A. Hegarty for his longtime, exemplary service to the town Avon, Massachusetts; and

Francis
Hegarty.

Resolutions (filed by Mr. Roy of Franklin) congratulating Joshua Lauterbach on achieving the rank of Eagle Scout by the Boy Scouts of America;

Joshua
Lauterbach.

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

Communication.

A communication from the Office of the State Auditor (see Section 17 of Chapter 11 of the General Laws) submitting a report of the Bureau of Special Investigations for the period from July 1, 2016 to June 30, 2017, was placed on file.

Bureau of
Special
Investigations.

Petition.

Mr. Boldyga of Southwick presented a petition (subject to Joint Rule 12) of Nicholas A. Boldyga relative to vehicle registrations for certain recreation vehicles at sanctioned races, rallies or events; and the same was referred, under Rule 24, to the committee on Rules.

Recreational
vehicles,—
registrations.

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 petition of Andres X. Vargas for legislation to establish a sick leave bank for Sonia Morales, employee of the Department of Youth Services. Under suspension of the rules, on motion Mr. Kaufman of Lexington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Sonia
Morales,—
sick leave.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to medical physics (House, No. 151).

Medical
physics,—
registration.

By the same member, for the same committee, on a petition, a Bill to provide increased access to hearing aids (House, No. 195).

Hearing aids,—
access.

By the same member, for the same committee, on a petition, a Bill establishing a dentist diversion program (House, No. 1980).

Dentists,—
diversion.

By the same member, for the same committee, on a petition, a Bill providing for the licensing of applied behavior analysts (House, No. 1998).

Behavior
analysts.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the sale of farmer-distiller products at farmers' markets (House, No. 198).

Farmer-
distillers,—
products.

By the same member, for the same committee, on a petition, a Bill relative to thoroughbred breeding (House, No. 1978).

Thoroughbred
breeding.

By the same member, for the same committee, on a petition, a Bill regulating secondary metals dealings (House, No. 1984).

Secondary
metals.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill prohibiting robocalls to all mobile telephone devices (House, No. 201).

Robocalls,—
prohibition.

By the same member, for the same committee, on a petition, a Bill relative to updating the used car law (House, No. 207).

Used car law.

By the same member, for the same committee, on a petition, a Bill relative to used police cars sold at auction (House, No. 210).

Auctions,—
police cars.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to the classification of certain employees of the South Essex Sewerage District (House, No. 4253).

South Essex
Sewerage
District.

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

Recess.

At seven minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed until a half

Recess.

past one o'clock P.M.; and at nineteen minutes before two o'clock the House was called to order with Mrs. Haddad of Somerset in the Chair.

Paper from the Senate.

A petition of Cynthia Stone Creem and Lori A. Ehrlich for legislation to require public pension fund divestment from ammunition and firearms, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Pension fund,— divestment.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2407) was referred, in concurrence, to the committee on Public Service.

Reports of a Committee.

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:

Joint petition (accompanied by bill) of Lori A. Ehrlich, Cynthia Stone Creem and others for legislation to require the public pension fund to divest from ammunition and firearms; and

Pension fund,— divestment.

Petition (accompanied by bill) of John W. Scibak for legislation to establish a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department;

Bethany Ryan,— sick leave.

Severally to the committee on Public Service.

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

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill financing improvements to municipal roads and bridges (House, No. 4367), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Straus of Mattapoissett.

Municipal roads and bridges.

After remarks on the question on passing the bill to be engrossed, Mr. Sánchez of Boston moved to amend it by adding the following section:

“SECTION 4. Notwithstanding any general or special law to the contrary, the department shall report to the house and senate committees on ways and means not later than December 31, 2018 on the impact of traffic volume on the disbursement of funds available in this act.”

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Straus of Mattapoissett; and on the roll call 145 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,— yea and nay No. 322.

[See Yea and Nay No. 322 in Supplement.]

Therefore the bill (House, No. 4367, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4366), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Sánchez of Boston.

Pending the question on passing the bill to be engrossed, Mr. Donato of Medford moved to amend it in section 2 by adding the following item:

“0521-0000.....\$19,189”;

and the amendment was adopted.

Mr. Durant of Spencer then moved to amend the bill by adding the following section:

“SECTION 12. Item 7008-0900 of section 2 of chapter 47 of the acts of 2017 is hereby amended by striking out the words ‘Centro Las Americas Inc.’s Latino Elders Program in the town of Southbridge’ and inserting in place thereof the following words:- the Latino Elders Program in the town of Southbridge to be administered by the town of Southbridge.”.

The amendment was adopted.

Messrs. Ryan of Boston and Collins of Boston then moved to amend the bill in section 2 by inserting after item 7061-0012 the following item:

“7061-9010.....\$2,500,000”;

and the amendment was adopted.

Mr. Lyons of Andover then moved to amend the bill by adding the following two sections:

“SECTION 13. Class A of section 31 of chapter 94C of the General Laws, as so appearing, is hereby amended by adding the following paragraph:—

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designations:

- (1) Acetyl Fentanyl
- (2) Carfentanil
- (3) Fentanyl
- (4) Cyclopropyl fentanyl
- (5) Furanyl fentanyl
- (6) 3-methylfentanyl
- (7) 3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide
- (8) Any synthetic opioid controlled in Schedule I of 21 C.F.R. 1308.11 or Schedule II of 21 C.F.R. 1308.12, unless specifically excepted or unless listed in another class in this section.

SECTION 14. Subsection (b) of Class B of said section 31 of said chapter 94C, as so appearing, is hereby amended by striking out clauses (1) to (21), inclusive, and inserting in place thereof the following 20 clauses:-

- (1) Alphaprodine
- (2) Anileridine
- (3) Bezitramide
- (4) Dihydrocodeine
- (5) Diphenoxylate
- (6) Isomethadone
- (7) Levomethorphan

- (8) Levorphanol
- (9) Metazocine
- (10) Methadone
- (11) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane
- (12) Moramide-Intermediate, 2-methyl-3 morpholine-1, 1-diphenyl-propane carboxylic acid
- (13) Pethidine
- (14) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine
- (15) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate
- (16) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid
- (17) Phenazocine
- (18) Piminodine
- (19) Racemethorphan
- (20) Racemorphans”.

The amendment was rejected.

The same member then moved to amend the bill by adding the following five sections:

“SECTION 13. Section 31 of chapter 94C of the General Laws as appearing in the 2016 Official Edition is hereby amended by adding to ‘CLASS A’ the following subsection:—

(d) Any substance controlled in Schedule I of Title 21 of the Code of Federal Regulations Part 1308.11 unless specifically excepted or unless listed in another class in this section.

SECTION 14. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS B’ the following subsection:—

(f) Any substance controlled in Schedule II of Title 21 of the Code of Federal Regulations Part 1308.12, unless specifically excepted or unless listed in another class in this section.

SECTION 15. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS C’ the following subsection:—

(g) Any substance controlled in Schedule III of Title 21 of the Code of Federal Regulations Part 1308.13, unless specifically excepted or unless listed in another class in this section.

SECTION 16. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS D’ the following subsection:—

(c) Any substance controlled in Schedule IV of Title 21 of the Code of Federal Regulations Part 1308.14, unless specifically excepted or unless listed in another class in this section.

SECTION 17. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS E’ the following subsection:—

(c) Any substance controlled in Schedule V of Title 21 of the Code of Federal Regulations Part 1308.15, unless specifically excepted or unless listed in another class in this section.”.

After remarks the amendment was rejected.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Sánchez of Boston moved to amend it in section 2A, in item 1070-0841, by adding the words “; provided, that the commission shall enter into an interagency service agreement with the department of public health to establish the public awareness campaigns”;

By inserting after item 1599-4448 the following item:

“1599-5000 For a reserve for reimbursement to the towns of Buckland,

UNCORRECTED PROOF.

Colrain and Hawley for costs incurred during tropical storm Irene; provided, that not less than \$520,895 shall be provided as reimbursement to the town of Buckland; provided further, that not less than \$258,000 shall be provided as reimbursement to the town of Colrain; and provided further, that not less than \$117,081 shall be provided as reimbursement to the town of Hawley.....\$895,576”,

In item 7002-1506 by striking out the words “provided further, that the Federal Reserve Bank of Boston shall identify additional program eligibility requirements; and provided further, that the private sector and other institutions shall contribute to this program an amount that is at least equal to the total state appropriation for this program” and inserting in place thereof the words: “provided further, that the executive office of housing and economic development shall include additional program eligibility requirements identified by Federal Reserve Bank of Boston; and provided further, that the executive office of housing and economic development shall only expend funds in amount equal to contributions by the private sector and other institutions”;

By striking out section 6 and inserting in place thereof the following section:

“SECTION 6. Item 2030-1004 of said section 2 of said chapter 47 is hereby amended by striking out the figure ‘\$333,000’, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$370,000.”;

By striking out sections 8 and 9 and inserting in place thereof the following three sections:

“SECTION 8. Item 4513-1012 of said section 2 of said chapter 47 is hereby amended by striking out the figure ‘\$26,200,000’, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$26,800,000.

SECTION 9. Item 4590-0912 of said section 2 of said chapter 47 is hereby amended by striking out the figure ‘\$21,650,862’, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$22,650,862.

SECTION 9A. Item 7004-0108 of said section 2 of said chapter 47 is hereby amended by inserting after the words ‘permanent sustainable housing’, the following words:- ; provided further, that the undersecretary of housing and community development may transfer surplus funds appropriated in this item to item 7004-0101 to address deficiencies in item 7004-0101; provided further, that not more than \$3,000,000 shall be transferred from this item in fiscal year 2018.”; and

By striking out section 11 and inserting in place thereof the following section:

“SECTION 11. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(1) Between the Commonwealth of Massachusetts and the American Federation of State, County and Municipal Employees, Unit 2; and

(2) Between the Commonwealth of Massachusetts and the Service Employees International Union, Local 509, Units 8 and 10.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Kulik of Worthington; and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 323 in Supplement.]

Therefore the bill (House, No. 4382, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 323.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-seven minutes before four o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, APRIL 9, 2018.

[39]

JOURNAL OF THE HOUSE.

Monday, April 9, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Hope, we know the adage that "hope springs eternal", yet these days in our Commonwealth hoping for spring feels like an eternity. Send Your warmth upon our Commonwealth, from the Berkshires to Capes Ann and Cod.

God of Justice, help our elected officials to pursue their work with an eye toward fairness and justice.

May all who visit our historic building this week benefit from the inspiration of past and present leadership.

Tomorrow, April 10 marks the 240th anniversary of the incorporation of the Worcester County town of Auburn.

Originally incorporated as the town of Ward, in honor of the American Revolutionary War General Artemis Ward who lived his whole life in nearby Shrewsbury, the local officials were forced to change their town's name in 1837 due to complaints from the U.S. Postal Service as the name was too similar to Ware, Massachusetts.

May God continue to bless our Commonwealth.

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.

Statement of Representative Walsh of Framingham.

A statement of Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House that I was unable to be present in the House Chamber for the sittings for April 4th and 5th, due to the scheduling of my treatment at Dana Faber. Had I been present for the taking of yea and nay numbers 319 to 323, inclusive, I would have voted, in each instance, in the affirmative. Any roll calls that I missed was due entirely to the reason stated.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Foxborough Regional Charter School on achieving the Holocaust Stamp Remembrance Goal;

Resolutions (filed by Mr. Linsky of Natick) celebrating the occasion of the

Prayer.

Pledge of
allegiance.

Statement of
Mr. Walsh of
Framingham.

Holocaust Stamp
Remembrance.

Natick,—
Fahey Square.

UNCORRECTED PROOF.

dedication of the Fahey Brothers Square in the town of Natick;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Ralph I. Steeves on thirty years of service to the town of Dedham;

Ralph Steeves.

Resolutions (filed by Mr. Parisella of Beverly) commending Tim Smith and Maureen Cronin for their tireless contributions to our country and the city of Beverly;

Tim Smith and Maureen Cronin.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Kathleen F. Nagle on her retirement from the town of Wellesley; and

Kathleen Nagle.

Resolutions (filed by Messrs. Stanley of Waltham and Lawn of Watertown) congratulating the 2017-2018 Waltham High School boys hockey team on winning the 2018 Massachusetts Interscholastic Athletic Association, Incorporated Division 1 state championship;

Waltham High,—
boys hockey team.

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. 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.

Order.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Wednesday, May 9, 2018 within which time to make its final report on current House document numbered 3543.

Financial Services committee,—
extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4383), ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. Cassidy of Brockton presented a petition (accompanied by bill, House, No. 4405) of Gerard Cassidy (with the approval of the mayor and city council) that the city of Brockton be authorized to create a rent board for manufactured housing in said city; and the same was referred to the committee on Housing. Sent to the Senate for concurrence.

Brockton,—
rent board.

Petitions severally were presented and referred as follows:

By Mr. Cutler of Duxbury, a petition (subject to Joint Rule 12) of Josh S. Cutler and others relative to the commitment of certain individuals for alcohol or substance use disorders.

Alcohol and substance use.

By Mr. Vargas of Haverhill, a petition (subject to Joint Rule 12) of Andres X. Vargas and others relative to the responsibilities of school districts regarding school lunches.

Schools,—
lunches.

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

Paper from the Senate.

A petition of Walter F. Timilty for legislation to honor and recognize the heroism of Rosa Parks, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

MBTA,—
Rosa Parks
designation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2410) was referred, in concurrence, to the committee on Transportation.

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 petition of Daniel J. Hunt for legislation to establish a sick leave bank for Daisy F. Bolden, an employee of the Massachusetts Teachers' Retirement System. Under suspension of the rules, on motion Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Daisy F.
Bolden,—
sick leave.

Report of the committee on Education, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4257) of F. Jay Barrows and Paul R. Feeney (by vote of the town) relative to the charter school reimbursement rate for the town of Foxborough.

Foxborough,—
charter school
reimbursement.

Under suspension of the rules, on a motion of Ms. Peisch of Wellesley, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to agricultural commission input on board of health regulations (House, No. 2465), be scheduled for consideration by the House.

Agricultural,—
health
regulations.

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

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on House, No. 2069, a Bill relative to PACE programs and nurse pronouncement (House, No. 4361).

Nurses,—
death
declarations.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill relative to needle stick injuries suffered by first responders (House, No. 998).

First responders,—
injuries.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on a petition, a Bill relative to the classification of certain controlled substances (House, No. 1076).

Controlled
substances.

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

By Mr. Lawn of Watertown, for the committee on Veterans and Federal Affairs, on a petition, a Bill establishing a commission to study veterans

Veterans
transportation,—
study.

UNCORRECTED PROOF.

transportation issues (House, No. 1937).

By the same member, for the same committee, on House, No. 1920, a Bill relative to the cost of veteran higher education (House, No. 4376).

Higher education,—
veterans.

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

By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill relative to the zoning of education facilities (printed as Senate, No. 85).

UMass,—
zoning.

By the same member, for the same committee, on Senate, No. 89 and House, No. 125, a Bill to address inequality, promote opportunity, and end poverty (House, No. 125).

Promoting
economic
opportunity.

By the same member, for the same committee, on Senate, No. 87 and House, No. 1972, a Bill establishing an office of Massachusetts main streets (House, No. 1972).

Main
streets.

By the same member, for the same committee on Senate, No. 82 and House, No. 1971, a Bill relative to community benefit districts (House, No. 4385).

Community
benefit.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 170 and House, Nos. 180 and 188, a Bill allowing full faith and credit to personal identification (House, No. 4384).

Drivers licenses,—
magnetic
identification.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to student data privacy (House, No. 253).

Student data,—
privacy.

By the same member, for the same committee, on a petition, a Bill to accelerate student success through expanded learning time (House, No. 266).

Expanded
learning time.

By the same member, for the same committee, on a petition, a Bill relative to the composition of the Board of Elementary and Secondary Education (House, No. 324).

Elementary and
Secondary
Education.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on Senate, No. 390 and House, No. 368, a Bill to create a citizens' initiative review commission (House, No. 368).

Citizens'
initiative
review.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill relative to underground economy whistleblowing (House, No. 999).

Underground
economy.

By the same member, for the same committee, on a petition, a Bill relative to workers' compensation (House, No. 1014).

Workers'
compensation.

By the same member, for the same committee, on a petition, a Bill relative to establishing an appeals process for private sector human service workers (House, No. 1025).

Human service
workers.

By the same member, for the same committee, on a petition, a Bill relative to structural steel (House, No. 1035).

Structural
steel.

By the same member, for the same committee, on a petition, a Bill relative to one stop career centers (House, No. 1040).

Career
centers.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 1950, a Bill requiring appropriation bills to include estimated amounts for the following fiscal year (House, No. 4374) [Mr. Dooley of Norfolk dissenting].

Appropriations,—
fiscal notes.

By Mr. Kaufman of Lexington, for the same committee, on House, No. 2632, a Bill relative to small town residential neighborhood revitalization (House, No. 4375) [Mr. Dooley of Norfolk dissenting].

Neighborhood
revitalization.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the disclosure of participation in the slave trade in the Commonwealth (House, No. 1709).

Participation
disclosure.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill establishing the executive office of food resources and security (House, No. 2663).	Office of food resources.
By the same member, for the same committee, on a petition, a Bill relative to employment of persons with disabilities on state contracts (House, No. 3362).	Disability employment.
By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Department of Transportation (House, No. 3381).	MassDOT.
By the same member, for the same committee, on a petition, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc. (House, No. 4265).	Lynn,— land.
By the same member, for the same committee, on a petition, a Bill amending the authorization for the exchange of an easement in the control of the Department of Conservation and Recreation to facilitate a project important to the economic development of the city of Lynn (House, No. 4268, changed by inserting before the enacting clause the following emergency preamble: “Whereas, the deferred operation of this act would tend to defeat its purpose, to facilitate a project important to the economic development of the city of Lynn, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”).	Id.
By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 1818, a Bill relative to license plates (House, No. 4387).	License plates.
By the same member, for the same committee, on House, No. 1820, a Bill to ensure benefits through enhanced Selective Service registration (House, No. 4388) [Ms. Meschino of Hull dissenting].	Selective service.
By Mr. Lawn of Watertown, for the committee on Veterans and Federal Affairs, on a petition, a Bill relative to the hiring of veterans (House, No. 3643).	Veterans,— employment.
Severally read; and referred, under Rule 33, to the committee on Ways and Means.	
By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to designation of polling places (House, No. 382).	Polling places.
By the same member, for the same committee, on Senate, No. 386 and House, No. 2898, a Bill supporting working parents who choose to run for public office (House, No. 2898) [Mr. Lombardo of Billerica dissenting].	Working parents.
By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill allowing 12 and 13 year old youth to be employed as soccer referees (House, No. 1000).	Youths,— soccer referees.
By the same member, for the same committee, on House, Nos. 1037 and 1047, a Bill relative to non discrimination [sic] training in the workplace. (House, No. 4386).	Non-discrimination training.
By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating the last day of February as rare disease day in the Commonwealth (House, No. 1650).	Rare disease day.
By the same member, for the same committee, on a petition, a Bill creating the official shellfish of the Commonwealth (House, No. 1654).	Oyster,— official shellfish.
By the same member, for the same committee, on a petition, a Bill regarding Huntington’s Disease awareness month (House, No. 1655).	Huntington’s disease.
By the same member, for the same committee, on a petition, a Bill designating Dysautonomia & POTS Awareness Month (House, No. 1667).	Dysautonomia and POTS.
By the same member, for the same committee, on a petition, a Bill designating inflammatory breast cancer awareness day (House, No. 1678).	Breast cancer.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill designating the song “Roadrunner” as the official rock song of the Commonwealth (House, No. 1683).

Roadrunner,—
official rock song.

By the same member, for the same committee, on a petition, a Bill designating the official seasoning of the Commonwealth (House, No. 1693).

Bell’s seasoning,—
official seasoning.

By the same member, for the same committee, on a petition, a Bill relative to sleep deprivation avoidance and promotion of good sleeping practices (House, No. 1700).

Sleep
practices.

By the same member, for the same committee, on a petition, a Bill designating the Boston Cream Pie Cupcake as the official cupcake of the Commonwealth (House, No. 1701).

Boston Cream
Pie Cupcake.

By the same member, for the same committee, on a petition, a Bill designating shaken baby syndrome awareness week (House, No. 1713).

Shaken
babies.

By the same member, for the same committee, on a petition, a Bill establishing school bus driver day (House, No. 1714).

School bus
driver day.

By the same member, for the same committee, on a petition, a Bill designating the song “14 Counties of Massachusetts” as the official county song of the Commonwealth (House, No. 1717).

14 Counties of
Massachusetts,—
official song.

By the same member, for the same committee, on a petition, a Bill relative to the official butterfly of the commonwealth (House, No. 3364).

Black Swallowtail
Butterfly.

By the same member, for the same committee, on a petition, a Bill establishing “Here’s to America” as the official patriotic song of the Commonwealth (House, No. 3368).

Here’s to
America,—
patriotic song.

By the same member, for the same committee, on a petition, a Bill designating gingham as the official textile of Massachusetts (House, No. 3376).

Gingham,—
official textile.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4258, a Bill authorizing the town of Hopkinton to establish a means-tested senior citizen property tax exemption (House, No. 4389) [Local Approval Received].

Hopkinton,—
property tax
exemption.

By Mr. Lawn of Watertown, for the committee on Veterans and Federal Affairs, on a petition, a Bill authorizing veterans to use facilities of the Pioneer Valley Transit Authority without cost to such veterans (House, No. 1944).

PVTA,—
veterans.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following bills be scheduled for consideration by the House:

The Senate Bill relative to the charter of the town of Sutton (Senate, No. 1131, amended) [Local Approval Received]; and

Sutton,—
charter.

House bills

Relative to landfills and areas of critical environmental concern (House, No. 2945); and

Landfills.

To authorize the town of Foxborough to establish additional mandated reporters in the town of Foxborough for the purposes of the protection and care of children (House, No. 3790) [Local Approval Received];

Foxborough,—
mandated
reporters.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

The Senate Bill permitting a certain parcel of land in the town of New Braintree to be used for a solar farm and other municipal purposes (Senate, No. 2189), 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.

New
Braintree,—
land.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, APRIL 11, 2018.

[40]*

JOURNAL OF THE HOUSE.

Wednesday, April 11, 2018.

Met according to adjournment at eleven o'clock A.M. 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Unity and Diversity, we give You thanks today for the great variety of citizens who make the Commonwealth their home. We give thanks too for our elected officials and their willingness to serve the almost 7 million residents of the Old Colony State.

Prayer.

Today, we honor Edward Everett who was born on this day in 1794. Educated and trained at Harvard to become a minister, through his gifted ability as an orator, Everett was persuaded to enter the political life of Massachusetts. He came to serve in Congress, elected to both the House and the Senate as well as serving as Governor of Massachusetts. He was the ambassador to Great Britain and served as the U.S. Secretary of State.

As our Governor, Everett created the state board of education, the first in the nation, to oversee the development of what were then called "normal schools" or teacher schools.

Originally opposed to Abraham Lincoln's Republican Party for fear of a civil war, Edward Everett grew to admire Lincoln and supported his reelection of 1864. Everett himself died in January of 1865.

The Middlesex county city of Everett was named after him, as is a city square that is located near his birthplace in Dorchester.

May God continue to bless our Commonwealth.

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 Prayer.

At the request of Mr. Driscoll of Milton, the members, guests and employees stood in a moment of silent prayer in memory of Daniel M. Drew, Jr., age 68 of Milton. Born in Boston he was raised in Dorchester and graduated from Boston English High School and Northeastern. Daniel was a dedicated public servant during his distinguished career with the Boston Police Department and special operations before retiring in 2008.

Daniel M.
Drew, Jr.

His sudden passing comes as a great blow to the Commonwealth, his family, friends, and neighbors. We send our deepest condolences to his wife, Brenda, his children Sarah and Emma and their extended family.

Guests of the House.

At the beginning of session, the Chair (Mr. Donato of Medford) declared a brief recess, and introduced the Waltham High School boys and girls hockey teams. The boys' hockey team claimed the Division 1 state championship with a 4-1 victory over Marshfield; and both teams were acknowledged for receiving the Good Sportsmanship award.

Waltham
High School
hockey teams.

Mr. Lawn of Watertown then took the Chair and addressed the House briefly.

Mr. Stanley of Waltham then took the Chair and read resolutions congratulating the teams on their accomplishments.

The Chair (Mr. Stanley) then introduced Middlesex Sheriff Peter J. Koutoujian and Waltham High School boys and girls hockey coaches John Maguire and John McCue, all of whom offered brief remarks on the teams' accomplishments. They were the guests of Messrs. Lawn of Watertown and Stanley of Waltham.

During the session, the Speaker took the Chair and introduced the Northeastern University women's and men's hockey teams.

Northeastern
University
hockey teams.

The Northeastern women's hockey team captured its first-ever Hockey East title beating the University of Connecticut 2-1; and the men's hockey team won the Beanpot championship for the first time in thirty years.

The Speaker then introduced Northeastern forward Kendall Coyne, who played on the US Women's Olympic hockey team, women's hockey coach Dave Flint, men's hockey coach Jim Madigan and junior center Adam Gaudette, winner of the Hobey Baker Memorial Award and the Walter Brown Award. They were the guests of the Speaker.

Petitions.

Mr. Hay of Fitchburg presented a petition (subject to Joint Rule 12) of Stephan Hay and Dean A. Tran for legislation to establish a sick leave bank for Stephanie Perez, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Stephanie
Perez,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Hay of Fitchburg, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 4411) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Lenox be authorized to exchange certain parcels of land located in said town with Massachusetts Audubon Society Inc. for open space and passive recreation purposes. To the committee on Municipalities and Regional Government.

Lenox,—
land.

By Representative Mark of Peru and Senator Hinds, a joint petition (accompanied by bill, House, No. 4410) of Paul W. Mark and Adam G. Hinds (by vote of the town) that the town of Dalton be authorized to convey a certain parcel of

Dalton,—
land.

land in said town known as the Dalton town forest to the Department of Fish and Game. To the committee on State Administration and Regulatory Oversight.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill financing the production and preservation of housing for low and moderate income residents (House, No. 4134), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2386.

Housing
bond.

Under suspension of the rules, on motion of Mr. Honan of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Honan, McGonagle of Everett and Hill of Ipswich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Boncore, Keenan and O'Connor had been joined as the committee on the part of the Senate.

Id.

The House Bill regulating and insuring short-term rentals (House, No. 4327), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2400.

Short-term
rentals.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Michlewitz, Peake of Provincetown and Barrows of Mansfield were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Rodrigues, Spilka and Fattman had been joined as the committee on the part of the Senate.

Id.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Public Health
committee,—
extension of time
for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until March 22, 2018, within which time to make its final report on current Senate documents numbered 142, 1165, 1166, 1169, 1175, 1225, 1237, 1238, and 1245, relative to Public Health.

Under suspension of the rules, on motion of Ms. Hogan of Stow, the order (Senate, No. 2328) was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend the it by striking out the text of said order and inserting in place thereof the following:

“Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee

on Public Health be granted until Wednesday, May 9, 2018, within which time to make its final report on current Senate documents numbered 142, 1165, 1166, 1169, 1238 and 1245, relative to Public Health.”.

The amendment was adopted.

The order (Senate, No. 2328, amended) then also was adopted. Sent to the Senate for concurrence in the amendment.

A petition of Ryan C. Fattman for legislation relative to the retirement of state university and community college police officers, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Higher education police,— retirement.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2416) was referred, in concurrence, to the committee on Public Service.

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 Andres X. Vargas and others relative to the responsibilities of school districts regarding school lunches. To the committee on Education.

Schools,— nutrition.

Joint petition (accompanied by bill) of Thomas P. Walsh and Joan B. Lovely for legislation to establish a sick leave bank for George Hodgdon, an employee of the Trial Court. To the committee on the Judiciary.

George Hodgdon,— sick leave.

Petition (accompanied by bill) James Arciero, Eileen M. Donoghue and another for legislation to authorize the State Retirement Board to grant creditable service to Paegan Deering, an employee of the Department of Environmental Protection. To the committee on Public Service.

Paegan Deering,— sick leave.

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill to ensure compliance with the anti-shackling law for pregnant incarcerated women (House, No. 2494).

Anti-shackling law.

By the same member, for the same committee, on a petition, a Bill relative to public safety (House, No. 3608).

Norfolk Sheriff,— EMT training.

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

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, Nos. 216 and 219, a Bill establishing a special commission pertaining to small businesses and minority-owned businesses in Western Massachusetts (House, No. 4406).

Small and minority businesses.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, Nos. 300 and 305 and House, Nos. 224, 225, 265, 286, 331, 332 and 2869, a Bill relative to special education finance (House, No. 4390).

Special education finance.

By Mr. O’Day of West Boylston, for the committee on Municipalities and Regional Government, on Senate, No. 81 and House, No. 2420, a Bill building for

Building codes.

UNCORRECTED PROOF.

the future of the Commonwealth (House, No. 4397).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Resolve establishing a special commission to investigate and study relative to the application of building codes when existing structures in gateway cities are converted to a mixed-use development (House, No. 1314).

By the same member, for the same committee, on a petition, a Bill establishing a special commission relative to correctional education (House, No. 3519).

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

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 308 and House, Nos. 235 and 2848, a Bill relative to recess for elementary school children (House, No. 4391).

By the same member, for the same committee, on House, Nos. 304 and 2027, a Bill to promote autonomy and success in schools (House, No. 4393).

By the same member, for the same committee, on House, Nos. 330 and 2872, a Bill relative to defining and providing screening for dyslexia (House, No. 4394).

By the same member, for the same committee, on House, No. 3549, a Bill relative to healthy eating in school cafeterias (House, No. 4395).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, No. 37 and on a part of House, No. 23, a Bill relative to explosive bonds (House, No. 37).

By the same member, for the same committee, on a petition, a Bill relative to implementing a blue alert system in the Commonwealth (House, No. 1308).

By the same member, for the same committee, on a petition, a Bill relative to missing persons (House, No. 1311).

By the same member, for the same committee, on a petition, a Bill relative to sheriffs (House, No. 1316).

By the same member, for the same committee, on a petition, a Bill establishing the building code coordinating council (House, No. 1317).

By the same member, for the same committee, on a petition, a Bill relative to training for public safety officials regarding autistic persons (House, No. 2483).

By the same member, for the same committee, on a petition, a Bill to require seatbelts on school buses (House, No. 2484).

By the same member, for the same committee, on a petition, a Bill relative to seat belts on school buses (House, No. 2486).

By the same member, for the same committee, on a petition, a Bill relative to the safety of students (House, No. 2499).

By the same member, for the same committee, on a petition, a Bill relative to the requirement of explosive gas sensor devices (House, No. 2505).

By the same member, for the same committee, on a petition, a Bill relative to expanding the fee exemption for renewing a license to carry to include veterans (House, No. 2508).

By the same member, for the same committee, on a joint petition, a Bill regulating the closure of state police barracks (House, No. 3253).

By the same member, for the same committee, on a petition, a Bill relative to the safety of schools, residences, and public assemblies (House, No. 3256).

By the same member, for the same committee, on a petition, a Bill relative to improving elevator inspection procedures (House, No. 3266).

Id.

Education,—
incarceration.

Education,—
recess.

Underperforming
schools.

Dyslexia,—
screening.

Schools,—
healthy eating.

Explosives,—
insurance.

Blue alert
system.

Missing persons,—
investigations.

Sheriffs,—
board.

Building codes,—
council.

Persons
with autism.

School buses,—
seatbelts.

Id.

Id.

Gas sensors,—
residences.

Veterans,—
Firearms fees.

State police
barracks,— closure.

CO2 and
fire alarms.

Elevator
inspection.

UNCORRECTED PROOF.

By the same member, for the same committee, on a petition, a Bill relative to vertical reciprocating conveyors (House, No. 3270).

By the same member, for the same committee, on a petition, a Bill relative the Massachusetts military asset and security strategy task force membership (House, No. 3273).

By the same member, for the same committee, on a petition, a Bill relative to correctional education data collection (House, No. 3518).

By the same member, for the same committee, on a petition, a Bill authorizing the voluntary disavowal of eligibility to purchase a firearm (House, No. 3611).

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to motorcycle safety (House, No. 1845).

By the same member, for the same committee, on a petition, a Bill providing for public-private transportation facilities (House, No. 2746).

By the same member, for the same committee, on a petition, a Bill relative to all-electronic tolling data privacy (House, No. 3439).

By the same member, for the same committee, on a petition, a Bill relative to certain properties in the Commonwealth (House, No. 3442).

By the same member, for the same committee, on House, No. 3531, a Bill relative to parking safety (House, No. 4407) [Ms. Meschino of Hull dissenting].

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

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on Senate, No. 183, on House, No. 10 and on a part of House, No. 8, a Bill enabling municipal and regional planning agency employees to fully participate in gaming policy advisory committees (House, No. 4398).

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 257, 2029, 2046 and 2837, a Bill to allow for school districts to collect a fee associated with nonresident pupil transportation (House, No. 4392).

By the same member, for the same committee, on House, No. 3733, a Bill requiring instruction in CPR and the use of defibrillators for high school graduation (House, No. 4396).

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the recreational tramway board (House, No. 1300).

By the same member, for the same committee, on a petition, a Bill relative to kayak safety (House, No. 1312).

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Corrections (House, No. 4354).

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to special regulations for vehicle specific checkpoints (House, No. 2731).

By the same member, for the same committee, on a petition, a Bill to historic route designations (House, No. 4155).

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

Conveyors.

Military task force,— membership.

Data collection,— correctional education. Firearm purchases.

Motorcycle safety.

Transportation facilities.

Data privacy.

Properties.

Parking safety.

Gaming advisory.

School,— transportation fees.

CPR and defibrillators,— instruction.

Tramway board.

Kayak safety.

Sara Parmenter,— sick leave.

Checkpoints,— vehicles.

Historic routes.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Mary Goddard, an employee of the Department of Correction (see House, No. 3868, 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.

Mary
Goddard,—
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 8 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 sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill permitting a certain parcel of land in the town of New Braintree to be used for a solar farm and other municipal purposes (see Senate, No. 2189) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At twenty-six minutes before twelve o'clock, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until a half past one o'clock P.M.; and at twenty-eight minutes before two o'clock the House was called to order with the Speaker in the Chair.

Recess.

Special Communications.

The following communication, together with returns of votes and schedules therein referred to, were received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE SECRETARY
STATE HOUSE, BOSTON 02133

April 11, 2018.

To the Honorable House of Representatives:

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the third day of April, 2018, for Representative in the General Court, 2nd Bristol District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

Returns of
votes for
Representative
in the Second
Bristol District.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by

the Constitution.

Very truly yours,
WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

The communication was read; and, there being no objection, it was placed on file.

Order.

On motion of Ms. Vincent of Revere,—

Ordered, That a special committee of the House be appointed to wait upon His Excellency the Governor and inform him that Representative-elect James K. Hawkins of the 2nd Bristol District is assembled in the Chamber of the House of Representative and is ready to take the oath and affirmation of qualification.

Governor notified.

The Speaker then appointed Representatives Ferrante of Gloucester, Poirier of North Attleborough, Schmid of Westport, Nangle of Lowell, Mirra of West Newbury, Mahoney of Worcester, Ultrino of Malden, Tyler of Boston, Vieira of Falmouth, Williams of Springfield and Zlotnik of Gardner as the special committee of the House.

Subsequently Ms. Ferrante of Gloucester, for the committee, reported that they had attended to the duties assigned to them, and that the Governor had stated that he would attend forthwith and administer the oaths of office.

Member Qualified.

Soon afterward His Excellency the Governor, Charles D. Baker, accompanied by members of the Honorable Council came in; the oaths and affirmation required by the Constitution and laws was administered by the Governor to Mr. Hawkins, and were subscribed by him; after which His Excellency declared that Mr. Hawkins was duly qualified to enter upon the discharge of his duties.

Representative James K. Hawkins,— qualification.

His Excellency the Governor and the Honorable Councillors present then departed the Chamber under escort of the Sergeant-at-Arms.

Mr. Hawkins then addressed the House briefly; and was assigned to Seat No. 46 by the Speaker.

Quorum.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

Quorum,— yea and nay No. 324.

[See Yea and Nay No. 324 in Supplement.]

Therefore a quorum was present.

Reports of Committees.

Mr. Donato of Medford being in the Chair, —

An Order (filed by Mr. Galvin of Canton) relative to the procedures for consideration of the General Appropriation Bill for fiscal year 2019 (House, No. 4399), having been reported from the committee on Rules, under the provisions of House Rules 7B and 7C, was considered.

Budget,—
procedures.

After remarks on the question on adoption of the order, Mr. McKenna of Webster moved to amend it in line 39 by inserting the following sentence:

“*Ordered*, That, Members shall have a minimum of two hours to review consolidated amendments prior to voting on the amendment; and be it further”.

After remarks the amendment was rejected.

The same member then moved to amend the order in line 39 by inserting the following sentence:

“*Ordered*, That, No consolidated amendment may include items from more than one subject area; and be it further”.

After remarks the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order in line 4 by striking out the date: “Friday, April 13” and inserting in place thereof the date: “Tuesday, April 17”.

After remarks the amendment was rejected.

On the question on adoption of the order, the sense of the House was taken by yeas and nays at the request of Mr. Galvin of Canton; and on the roll call 120 members voted in the affirmative and 33 in the negative.

Order
adopted,—
yea and nay
No. 325.

[See Yea and Nay No. 325 in Supplement.]

Therefore the order (House, No. 4399) was adopted.

Subsequently a statement of Mr. Vega of Holyoke was spread upon the records of the House, as follows:

Statement of
Representative
Vega of Holyoke.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll, I was not present in the House Chamber due to official business in another part of the State House. Had I been present I would have voted in the affirmative.

Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 2, reported, in part, a Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400) [Total appropriation: \$40,983,440,827.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Subsequently Mr. Murphy of Weymouth, for said committee, reported that the matter be scheduled for consideration by the House; and, under the provisions of House Order No. 4399, the bill was placed in the Orders of the Day for Monday, April 23, for a second reading.

Engrossed Bill.

The engrossed Bill providing for the appointment of a treasurer-collector in the town of Stockbridge (see House, No. 4162) (which originated in the House), having

Bill
enacted.

UNCORRECTED PROOF.

been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill establishing a private road maintenance revolving fund in the town of Westminster (House, No. 3905), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Zlotnik of Gardner; and it was passed to be engrossed. Sent to the Senate for concurrence.

Westminster,—
fund.

The House Bill authorizing the city of Newton to lease the John W. Weeks School (House, No. 4262) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Balsler of Newton; and it was passed to be engrossed. Sent to the Senate for concurrence.

Newton,—
Weeks
School.

The Speaker being in the Chair, —

The House Bill designating certain bridges in the city known as the town of Barnstable as the first responders appreciation overpasses (House, No. 4152), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Straus of Mattapoisett; and it was passed to be engrossed. Sent to the Senate for concurrence.

Barnstable,—
overpasses.

The Senate amendment of the House Bill authorizing the city of Gardner and the Division of Capital Asset Management and Maintenance to exchange certain parcels of land (House, No. 4037), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Zlotnik of Gardner.

Gardner,—
land.

Pending the question on adoption of the amendment, in concurrence, the same member moved that it be amended in section 2, in lines 12 and 13, by striking out the words “may convey to the city of Gardner for general municipal purposes” and inserting in place thereof the words “shall convey to the Montachusett Veterans Outreach Center, Inc.”; and section 5, in line 53, by inserting after the word “city” the words “or Montachusett Veterans Outreach Center, Inc.”.

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

Order.

Mr. Donato of Medford being in the Chair,—

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at six minutes before three o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, APRIL 12, 2018.

[41]

JOURNAL OF THE HOUSE.

Thursday, April 12, 2018.

Met at eight minutes after eleven o'clock A.M., in an Informal Session, with Mr. Moran of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice and Truth, we look forward to the celebration of our state holiday this upcoming Monday, Patriot's Day.

Prayer.

As we look back in gratitude for the brave men and women of colonial times, we recognize the need for our own vigilance and promotion of freedom and fairness.

We ask Your Blessing O God upon our Commonwealth as we continue to strive to be the leader among the fifty states in defending liberty and promoting justice.

We recognize our own individual and collective failures when it comes to our effort to live out the meaning of a Commonwealth, a state that seeks the good and welfare for all its citizens.

We are spurred on by the memory of the brave actions taken by our ancestors of Lexington and Concord to continue the battle for freedom and human rights.

We ask Your blessing upon the people from all over the globe who will visit our Commonwealth this weekend; and we pray for the health and safety of all who will participate in the Boston Marathon on Monday, those running and those volunteering or cheering on runners.

May the Spirit of Massachusetts find a home in the hearts of all residents and visitors at this holiday time.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Moran of Boston), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Statement Concerning Representative Walsh of Framingham.

A statement of Mr. Rushing of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber for yesterday's sitting, due to the scheduling of treatment at Dana Faber. Had he been present for the taking of yea and nay numbered 325, he would have voted in the affirmative. His missing of that roll call was due entirely to the reason stated.

Statement concerning Mr. Walsh of Framingham.

Resolutions.

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

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Ryan Eykel on receiving the Eagle Award of the Boy Scouts of America;	Ryan Eykel.
Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating John Goebel on receiving the Eagle Award of the Boy Scouts of America;	John Goebel.
Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Gregory Golden on receiving the Eagle Award of the Boy Scouts of America;	Gregory Golden.
Resolutions (filed by Ms. DiZoglio of Methuen and other members of the House) recognizing foster kids in the Commonwealth;	Foster children.
Resolutions (filed by Messrs. Hecht of Watertown, Muradian of Grafton, Rogers of Cambridge, Miceli of Wilmington and Lawn of Watertown) commemorating the occasion of the 2018 Armenian Genocide at the State House on April 20;	Alin Grigorian.
Resolutions (filed by Messrs. Hecht of Watertown, Muradian of Grafton, Rogers of Cambridge, Miceli of Wilmington and Lawn of Watertown) commemorating the occasion of the 2018 Armenian Genocide at the State House on Friday, April 20; and	Rupen Janbazian.
Resolutions (filed by Mr. Lombardo of Billerica and other members of the House) recognizing May 1-7, 2018 Elks National Youth Week;	Elks National Youth Week.

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

Communication.

A communication from the State Retiree Benefits Trust (“HST”) Board (under Section 24(f) of Chapter 32A of the General Laws) submitting the approved budget for said board for the fiscal year 2019 [copies of said report were forwarded to the committee on Ways and Means and the committee on Public Service], was placed on file.	Retiree Benefits Trust Board,— budget.
--	--

Petitions.

Petitions severally were presented and referred as follows:	
By Ms. DiZoglio of Methuen, a petition (subject to Joint Rule 12) of Diana DiZoglio, Bruce J. Ayers and Brian M. Ashe relative to the online advertising of pet care services.	Pet care,— advertising.
By the same member, a petition (subject to Joint Rule 12) of Diana DiZoglio and others that the Department of Public Health be authorized to establish a task force to investigate best practices for alcohol and drug free housing.	Sober homes.
Severally, under Rule 24, to the committee on Rules.	

Papers from the Senate.

The House Bill financing improvements to municipal roads and bridges (House, No. 4367, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2409. Municipal roads and bridges.

Under suspension of Rule 35, on motion of Mr. Straus of Mattapoisett, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Straus, Kulik of Worthington and Muradian of Grafton were appointed the committee on the part of the House. Sent to the Senate to be joined. Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Boncore, Keenan and Tran had been joined as the committee on the part of the Senate. Id.

Bills

Increasing parking fines in the city of Gloucester (Senate, No. 2223) (on a petition) [Local Approval Received]; Gloucester,— parking fines.

Ratifying the adoption of the charter of the town of Abington (printed in Senate, No. 2278) (on a message from His Excellency the Governor); Abington,— charter.

Further regulating the membership of the licensing commission and the board of election commissioners of the city of Somerville (Senate, No. 2294) (on a petition) [Local Approval Received]; and Somerville,— commissions.

Authorizing the town of Westport to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (Senate, No. 2303) (on a petition) [Local Approval Received]; Westport,— liquor license.

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. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Sara Parmenter, an employee of the department of corrections [sic] (House, No. 4354), be scheduled for consideration by the House. Sara Parmenter,— sick leave.

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

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to certain genetically targeted drug coverage for Duchenne Muscular Dystrophy (House, No. 3644). Drug coverage.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the provision of health insurance and other benefits in the town of Huntington (House, No. 4308) [Local Approval Received]. Huntington,— health insurance.

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 3361, a Bill establishing a special commission to investigate and study the feasibility and effects of collecting disaggregate data (House, No. 4408) [Senator Tran dissenting]. Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Asian
Americans,—
data study.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to paint recycling (House, No. 4136).

Paint,—
recycling.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to certain affordable housing in the Roxbury section of the city of Boston (House, No. 4288) [Local Approval Received].

Roxbury,—
housing.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill relative to the creative economy (House, No. 1043).

Employees,—
define.

By the same member, for the same committee, on a petition, a Bill relative to making a technical correction to public construction threshold (House, No. 1044).

Public
construction.

By the same member, for the same committee, on a petition, a Bill to clarify reimbursement of workers compensation insurers to prevent double recovery by injured workers in third party cases (House, No. 2362).

Workers
compensation.

By the same member, for the same committee, on a petition, a Bill relative to prohibit [sic] contract provisions requiring subcontractors to assume liability for negligence of others (House, No. 2369).

Subcontractors,—
liability.

By the same member, for the same committee, on a petition, a Bill protecting the employment benefits of Civil Air Patrol and Coast Guard Auxiliary members (House, No. 2370).

Employment
benefits.

By the same member, for the same committee, on a petition, a Bill relative to prevailing wages (House, No. 2373).

Prevailing
wages.

By the same member, for the same committee, on a petition, a Bill relative to unemployment insurance (House, No. 2376).

Unemployment
insurance.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to wireless transmissions from motor vehicles (House, No. 1773).

Wireless
transmissions.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill [sic] the boardwalk at Heritage State Park in the city of Fall River shall be designated and known as the Robert Correia Boardwalk, in honor of former State Representative Robert Correia (House, No. 4166).

Fall River,—
Correia
boardwalk.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill repealing a certain act increasing the expenditure limit on revolving funds in the city of Attleboro (House, No. 4299) [Local Approval Received].

Attleboro,—
funds.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Somerville to offer an exemption for certain owner occupied residential properties for water and sewer charges and rates (House, No. 4309) [Local Approval Received].

Somerville,—
residential
exemptions.

By the same member, for the same committee, on a petition, a Bill authorizing

Falmouth,—

the town of Falmouth to transfer a parcel of land commonly known as the Farley Bog (House, No. 4341) [Local Approval Received].

Farley Bog.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing Brian M. Belfiore to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4186) [Local Approval Received].

Brian Belfiore,—
civil service.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Gloria Phillips, an employee of the Division of Industrial Accidents (House, No. 4336).

Gloria Phillips,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Heidi Souza, an employee of the Department of Correction (House, No. 4372).

Heidi Souza,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Felix Cruz, an employee of the Department of Youth Services (House, No. 4381).

Felix Cruz,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department (House, No. 4403).

Bethany Ryan,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Sonia Morales, employee of the Department of Youth Services (House, No. 4404).

Sonia Morales,—
sick leave.

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

Engrossed Bill.

The engrossed Bill amending the charter of the town of Chelmsford (see House, No. 4243) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Orders of the Day.

House bills

Relative to the operation of certain trailers and semi-trailers (House, No. 4105) (its title having been changed by the committee on Bills in the Third Reading); and

Third reading bills.

Authorizing the town of Boylston to convey a certain parcel of land (House, No. 4197);

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. DeLeo of Winthrop,—

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

Next sitting.

At seventeen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Moran of Boston being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, APRIL 17, 2018.

[42]

JOURNAL OF THE HOUSE.

Tuesday, April 17, 2018.

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

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to building on criminal justice reform (House, No. 4426), was filed in the office of the Clerk on Friday, April 13.

Criminal
justice,—
reforms.

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.

Resolutions.

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

Resolutions (filed by Mr. Mariano of Quincy) reaffirming friendship between the Commonwealth and Taiwan and enhancing bilateral relations and supporting Taiwan in the international community; and

Taiwan.

Resolutions (filed by Ms. Dykema of Holliston and other members of the House) commemorating the celebration of the Sikh Festival of Vaisakhi;

Sikh Festival
of Vaisakhi.

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. 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.

Orders.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Thursday, April 26, 2018 within which time to make its final report on current House documents numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634, 3742, 4149, 4151, 4222, 4324 and 4371.

Telecommunica-
tions, Utilities
and Energy
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4412), ought to be adopted. Under suspension of the rules, on motion

of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Cronin of Easton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Wednesday, May 2, 2018 within which time to make its final report on current House documents numbered 4310, 4322, 4323 and 4338.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4413), ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Judiciary committee,—
extension of time for reporting.

Communications.

Communications

From the Massachusetts College of Art and Design (see Section 634 of Chapter 26 of the Acts of 2003) submitting its performance report for the fiscal year 2017;

College of Art and Design.

From the Department of Elementary and Secondary Education (see sections 1B, 1J and 1K of Chapter 69 and Section 38G of Chapter 71 of the General Laws) submitting requests for comment on proposed amendments to 603 CMR 2.00, Regulations on Accountability and Assistance for School Districts and Schools [a copy of said communication was forwarded to the committee on Education, as required by law];

School accountability and assistance regulations.

From the Department of Public Health (see Section 2 of Chapter 111 of the General Laws) submitting the annual report summarizing mortality data and statistics for the calendar year 2015;

Mortality data and statistics.

From the Secretary of the Executive Office of Public Safety and Security submitting the final report of the task force established (see Section 100 of Chapter 284 of the Acts of 2014) to study and report on suitable and feasible options for the safekeeping of a distressed person's firearms in a location away from the household [copies of the communication forwarded to the committees on Mental Health, Substance Use and Recovery, and Public Safety and Homeland Security, as required by said law];

Distressed persons,—
firearms safekeeping.

From the Department of Transitional Assistance (see Section 2 of Chapter 18 of the General Laws) submitting a report entitled: Report on Economic Independence Accounts [copies were forwarded to the committee on Ways and Means, and the committee on Children, Families and Persons with Disabilities, as required by said law];

DTA,—
economic independence.

From the Department of Transitional Assistance (see Section 2 of Chapter 18 of the General Laws) submitting a report entitled: Report on Transitional Aid to Families with Dependent Children – Eligible Noncitizen Status Clients [copies were forwarded to the committee on Ways and Means, and the committee on Children, Families and Persons with Disabilities, as required by said law];

DTA,—
noncitizen status clients.

From the Department of Transitional Assistance (see Section 2 of Chapter 18 of the General Laws) submitting a report entitled: Electronic Benefit Transfer (EBT) Photo Requirement Exemptions; and

DTA,—
EBT photo exemptions.

From the Department of Transitional Assistance (see Section 32 of Chapter 158 of the Acts of 2014) submitting a report entitled: Agency Paper Reduction Efforts;

DTA,—
paper reduction.

Severally were placed on file.

Annual Report.

The annual report of the State 911 Department (under Section 18B(j) of Chapter 6A and Section 35JJ of Chapter 10 of the General Laws) for the calendar years 2016 and 2017, and the three-year grant expenditure report [copies were forwarded to the committee on Ways and Means, and the committee on Public Safety and Homeland Security, as required by said law], was placed on file.

State 911
Department
report.

Petition.

Representative Kaufman of Lexington and Senator Friedman presented a joint petition (subject to Joint Rule 12) of Jay R. Kaufman, Cindy F. Friedman and others for legislation to authorize the Minuteman Regional Vocational Technical School District to lease certain land and buildings; and the same was referred, under Rule 24, to the committee on Rules.

Minuteman
School District,—
lease.

Papers from the Senate.

A Bill authorizing the town of Hamilton to establish a special fund for the Patton Homestead (Senate, No. 2245) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hamilton,—
fund.

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

Under suspension of the rules, on motion of Mr. Hill of Ipswich, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill establishing a student loan bill of rights (Senate, No. 2421) (on Senate bill No. 2380), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Student
loans,—
rights.

A petition (accompanied by bill) of Richard J. Ross and David Paul Linsky for legislation further regulating the value of the assets held by the Bacon Free Library in the South Natick section of the town of Natick, came from the Senate with the endorsement that it had been referred, by said branch, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Natick,—
Bacon Free
Library.

Pending the question on suspension of Joint Rule 12, the petition was transmitted by the Clerk to the State Secretary for a determination of it being subject to Joint Rule 9 and applicable to Section 7 of Chapter 3 of the General Laws.

A petition of Eric P. Lesser for legislation to establish a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Melvin
Maldonado,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2444) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

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

Honoring Bob Cousy (House, No. 3534);

Relative to certain affordable housing in the Jamaica Plain section of the city of Boston (House, No. 4238) [Local Approval Received];

Establishing a sick leave bank for Gloria Phillips, an employee of the Division of Industrial Accidents (House, No. 4336);

Establishing a sick leave bank for Heidi Souza, an employee of the Department of Correction (House, No. 4372);

Establishing a sick leave bank for Felix Cruz, an employee of the Department of Youth Services (House, No. 4381);

Establishing a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department (House, No. 4403); and

Establishing a sick leave bank for Sonia Morales, employee of the Department of Youth Services (House, No. 4404);

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.

Bob Cousy.

Boston,—
housing.

Gloria Phillips,—
sick leave.

Heidi Souza,—
sick leave.

Felix Cruz,—
sick leave.

Bethany Ryan,—
sick leave.

Sonia Morales,—
sick leave.

Reports

Of the committees on Rules of the two branches, acting concurrently, that the House Bill affirming inclusion of people with disabilities on commissions of the Commonwealth (House, No. 112) ought NOT to pass (under Joint Rule 10);

Of the same committees, that the House Bill establishing a commission on the status of children and youth (House, No. 1968, changed) ought NOT to pass (under Joint Rule 10); and

Of the same committees, that the House Bill to (1) establish a solid waste management council, (2) to require the Department to increase certain types of data collection; (3) to impose a surcharge on waste disposal; (4) to require municipalities to institute pay as you throw programs if they are generating too much waste for disposal per capita; (5) to require that all waste be disposed of in clear plastic bags; (6) to increase recycling to include mattresses, textiles and additional commercial organic material; and (7) to require secondary markets to report contamination (House, No. 2944) ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, in each instance, on motion of Mr. Galvin of Canton, the reports were considered forthwith, the question being: "Shall this bill be rejected?"

The House then refused to reject the bills; and they were read a second time.

Pending the question on ordering the bills to a third reading, they were referred, in each instance, on motion of the same member, to the committee on Rules.

Disabilities,—
commissions.

Children
and youth.

Waste
management.

Report of the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study by a special commission relative to preparedness for natural disasters (House, No. 1299) ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, on motion of Mr. Galvin of Canton, the report

Natural
disasters,—
study.

UNCORRECTED PROOF.

was considered forthwith, the question being: "Shall this resolve be rejected?"

The House then refused to reject the bill; and it was read a second time.

Pending the question on ordering it to a third reading, the bill was referred, on motion of the same member, to the committee on Rules.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill authorizing the Department of Fish and Game to acquire land of the town of Dalton (House, No. 4301, changed by striking out section 4).

Dalton,—
land.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill temporarily preventing firearm access for extremely dangerous or suicidal individuals (House, No. 3610, changed, in section 3, in line 128, by striking out the figures: "14" and inserting in place thereof the figures: "10", in line 150, by striking out the words "any dangerous mental health issues of the respondent" and inserting in place thereof the words "whether the respondent suffers from a dangerous mental or physical illness", in lines 320, 408 and 413 by striking out the figure: "3" and inserting in place thereof, in each instance, the figure: "2 ½"; and in lines 370 and 371, by striking out the words "or credited to the municipality in which the authority presides to purchase weapons, equipment or supplies or").

Firearm access,—
dangerous
individuals.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 1813, a Bill relative to public safety in excavation (House, No. 4420).

Excavation
safety.

By the same member, for the same committee, on House, Nos. 2743, 2877 and 3428, a Bill to reduce traffic fatalities (House, No. 4421).

Traffic
fatalities.

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

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on Senate, Nos. 840, 988, 1017 and 1020 and House, Nos. 43, 854, 2366, 2371 and on a part of House, No. 42, a Bill relative to the judicial enforcement of noncompetition agreements (House, No. 4419). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Noncompetition
agreements.

Orders of the Day.

The House Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (House, No. 4354) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Sara
Parmenter,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4354, amended) was passed to be engrossed. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-four minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Nangle of Lowell being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, APRIL 19, 2018.

[43]

JOURNAL OF THE HOUSE.

Thursday, April 19, 2018.

Met at six minutes after 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Hope and Courage, we give You thanks for the women and men who serve our Commonwealth in and through this chamber. We pray that they may have good health and a spirit of joy as they continue to serve the people of Massachusetts.

Prayer.

We are grateful for our state's history and the role it played in the struggle for freedom.

We remember the town of Concord as today is the anniversary of the battle there in 1775, the second battle that same day in the American colonies' war for independence.

To commemorate the bicentennial of this historic battle, world leaders and prominent US citizens were invited to Concord on this day in 1975. There was a parade and President Gerald Ford delivered a speech near the North Bridge which was televised across the nation.

Today, Concord enjoys its reputation as a picturesque and historic town. The homes of many literary giants of the 19th century still stand and are visited by tourists to our area.

May God continue to bless our Commonwealth.

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.

Appointment to a Special Commission.

The Speaker announced that he had appointed Representative Rushing of Boston to the special commission established (under Chapter 1 of the Resolves of 2016) to consider the viability of establishing a designed space or facility on the Esplanade, Madison Park high school or another location in the city of Boston to commemorate the visit of Nelson Mandela to the city of Boston in June 1990 and the speech given by him on the Esplanade and at Madison Park high school.

Nelson Mandela visit,— commemoration.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, Allie and Mylie Nicastro and their grandmother, Rosalee Nicastro. At the invitation of the Chair, they participated in the pledge of allegiance to the flag. They were the guests of Ms.

Allie, Mylie and Rosalee Nicastro.

Ferrante of Gloucester.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced students and chaperones from the Weymouth High School Theater Company. The students recently placed first at the annual Massachusetts High School Drama Festival. The Chair presented the company's director, Donnie Norton, with citations of the House congratulating them of their accomplishments. They were the guests of Mr. Murphy of Weymouth and were accompanied by Senator O'Connor.

Weymouth
High School
Theater
Company.

Resolutions.

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

Resolutions (filed by Ms. DiZoglio of Methuen and other members of the House) recognizing May as Erythromelalgia Awareness Month in the Commonwealth;

Erythromelalgia
Month.

Resolutions (filed by Mr. Sánchez of Boston) honoring Leslie Reid's service to the Jamaica Plain Neighborhood Development Corporation; and

Leslie
Reid.

Resolutions (filed by Ms. Vincent of Revere) congratulating Jennie Caggiano Mastascusa on the occasion of her one hundredth birthday;

Jennie Caggiano
Mastascusa.

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 Ms. Ferrante of Gloucester, 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 Ms. DiZoglio of Methuen, a petition (subject to Joint Rule 12) of Diana DiZoglio relative to products used on newborn infants.

Infant
products.

By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake relative to the Cape Cod Regional Transit Authority and the Southeastern Regional Transit Authority.

Transit
authorities.

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

Papers from the Senate.

A petition (accompanied by bill, Senate, No. 2423) of Michael D. Brady, Michelle M. DuBois and Walter F. Timilty (by vote of the town) for legislation to establish an East Bridgewater Sewer District, was referred, in concurrence, to the committee on Municipalities and Regional Government.

East
Bridgewater
sewer district.

A petition of Richard J. Ross and David Paul Linsky (having been transmitted by the Clerk of the House of Representatives to the State Secretary on April 17, 2018 for a determination of it being subject to Joint Rule 9) for legislation further regulating the value of the assets held by the Bacon Free Library in the South Natick section of the town of Natick (having been returned from the State Secretary with memorandum relative thereto), was referred, under Rule 24, to the committee on

Natick,—
Bacon Free
Library.

Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rules 12 and 9 be suspended. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill, Senate, No. 2482) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence in the suspension of Joint Rule 9.

Reports of Committees.

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

The Senate Bill ratifying the adoption of the charter of the town of Abington (printed in Senate, No. 2278); and

House bills

Designating Dysautonomia & POTS Awareness Month (House, No. 1667);

Designating inflammatory breast cancer awareness day (House, No. 1678);

Designating the song "Roadrunner" as the official rock song of the Commonwealth (House, No. 1683);

Designating the official seasoning of the Commonwealth (House, No. 1693);

Authorizing Brian M. Belfiore to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4186) [Local Approval Received];

Relative to the classification of certain employees of the South Essex Sewerage District (House, No. 4253); and

Authorizing the town of Hopkinton to establish a means-tested senior citizen property tax exemption (House, No. 4389) [Local Approval Received];

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

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill to require employers to employed individuals to be trained in OSHA (House, No. 3136).

By the same member, for the same committee, on a petition, a Bill extending protections to employees of the Commonwealth (House, No. 3149).

By the same member, for the same committee, on House, Nos. 1007 and 1023, a Bill requiring health care employers to develop and implement programs to prevent workplace violence (House, No. 4418).

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on a petition, a Bill relative to creating a pilot program to transfer high acuity behavioral health and dual diagnosis patients away from overcrowded emergency departments (House, No. 1064).

By the same member, for the same committee, on a petition, a Bill relative to creating intensive stabilization and treatment units within the Department of Mental Health (House, No. 1065).

By the same member, for the same committee, on a petition, a Bill relative to mental health and substance abuse treatment facilities (House, No. 1075, changed in line 3 by inserting after the figures: "60" the word "business").

Abington,—
charter.

Dysautonomia.

Breast cancer.

Official
rock song.

Seasoning.

Haverhill,—
Brian
Belfiore.

South Essex
Sewerage District.

Hopkinton,—
property tax
exemption.

OSHA
training.

Employee
protections.

Workplace
violence,—
prevention.

Emergency
departments.

DMH,—
treatment
units.

Treatment
facilities.

<p>By the same member, for the same committee, on a petition, a Bill relative to the safe care of residents with active substance use disorder accessing skilled nursing facility care (House, No. 2073).</p>	<p>Skilled nursing care,— access.</p>
<p>Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.</p>	
<p>By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, Nos. 2834 and 3770, a Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.</p>	<p>Life sciences industry.</p>
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 1973 and 3465, a Bill to mandate domestic violence and sexual assault awareness education for aestheticians, barbers, cosmetologists, electrologists, hairdressers, manicurists, and massage therapists (House, No. 4427).</p>	<p>Sexual assault,— education.</p>
<p>By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 2932, a Bill establishing the Mohawk Trail Woodlands partnership (House, No. 4433).</p>	<p>Mohawk Trail Woodlands.</p>
<p>By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill promoting public labor contracts for local residents (House, No. 2377).</p>	<p>Labor contracts.</p>
<p>By the same member, for the same committee, on a petition, a Bill to protect locked out employees (House, No. 3133).</p>	<p>Locked out employees.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to contractor accountability (House, No. 3137).</p>	<p>Contractor accountability.</p>
<p>By the same member, for the same committee, on a petition, a Bill to promote employment (House, No. 3139).</p>	<p>Employment.</p>
<p>By the same member, for the same committee, on a petition, a Bill protecting workers' wages from arbitrary recoupment of overpayments (House, No. 3141).</p>	<p>Workers' wages.</p>
<p>By the same member, for the same committee, on Senate, No. 1005 and House, Nos. 3145 and 3146, a Bill relative to workforce development and job training (House, No. 3160).</p>	<p>Job training.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to workers[sic] compensation classification appeals (House, No. 3161).</p>	<p>Worker's compensation.</p>
<p>By the same member, for the same committee, on a petition, a Bill to enhance employment outcomes and strengthening workforce development programs for persons with intellectual and developmental disabilities (House, No. 4168).</p>	<p>Workforce development.</p>
<p>Severally read; and referred, under Rule 33, to the committee on Ways and Means.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4161, a Bill authorizing the town of Dedham to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4416) [Local Approval Received] [Mr. Howitt of Seekonk dissenting].</p>	<p>Dedham,— liquor license.</p>
<p>By the same member, for the same committee, on House, No. 4164, a Bill authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4417) [Local Approval</p>	<p>Id.</p>

Received].

By the same member, for the same committee, on House, No. 4068, a Bill authorizing the town of Brookline to grant 35 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and 5 additional licenses for the sale of wines and malts [sic] to be drunk on the premise (House, No. 4428) [Local Approval Received].

Brookline,—
liquor
licenses.

By the same member, for the same committee, on House, No. 4254, a Bill authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 4429) [Local Approval Received].

Tyngsborough,—
liquor
licenses.

By the same member, for the same committee, on House, No. 4255, a Bill authorizing the town of Tyngsborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4430) [Local Approval Received].

Id.

By the same member, for the same committee, on House, No. 4307, a Bill authorizing the town of Holliston to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4431) [Local Approval Received].

Holliston,—
liquor
license.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill to prevent concussion and head injury (House, No. 220).

Head injury
prevention.

By the same member, for the same committee, on a petition, a Bill authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (House, No. 4094).

Nilman
Scholarship
trust fund.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a recommitted joint petition, a Bill relative to certain county elections for certain vacancies (House, No. 390).

County
elections.

By the same member, for the same committee, on a petition, a Bill providing for recall elections in the town of Erving (House, No. 4144) [Local Approval Received].

Erving,—
recall
elections.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of Clause 41C½ of Section 5 Chapter 59 of the Massachusetts General Laws [sic] (House, No. 4249) [Local Approval Received].

Newburyport,—
special
elections.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4230, a Bill requiring reserve electric power at wastewater treatment facilities (House, No. 4434).

Wastewater
facilities.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court (House, No. 4423).

Stephanie
Perez,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (House, No. 4424).

George
Hodgdon,—
sick leave.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, Nos. 2372 and 3153, a Bill regulating the use of credit reports by employers (House, No. 3153).

Employers,—
credit reports.

By the same member, for the same committee, on a petition, a Bill to clarify the tips law (House, No. 3156).

Tips
law.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Norfolk to convey certain land on Priscilla Avenue (House, No. 4148) [Local Approval

Norfolk,—
land.

Received].

By the same member, for the same committee, on a joint petition, a Bill to establish a public art fund in the town of Amherst (House, No. 4163) [Local Approval Received].

Amherst,—
art fund.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill exempting the position part-time officer in the police department in the town of Athol from the civil service law (House, No. 4146) [Local Approval Received].

Athol,—
civil service.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Daisy F. Bolden, an employee of the Massachusetts Teachers' Retirement System (House, No. 4409).

Daisy
Bolden,—
sick leave.

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

Engrossed Bills.

Engrossed bills

Establishing a private road maintenance revolving fund in the town Westminster (see House, No. 3905); and

Bills
enacted.

Establishing the position of town manager in the town of Ayer (see House, No. 4080, 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.

Reconsideration.

Mr. Golden of Lowell asked that the vote be reconsidered by which the House, at the preceding sitting, adopted the following order:

Telecommunica-
tions, Utilities
and Energy
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Thursday, April 26, 2018, within which time to make its final report on current House documents numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634, 3742, 4149, 4151, 4222, 4324 and 4371 (House, No. 4412).

The motion was entertained; and it prevailed.

Pending the recurring question on adoption of the order, the same member moved to amend it in line 4 by striking out the following: “, 4324 and 4371” and inserting in place thereof the following: “and 4324”; and the amendment was adopted.

The order (House, No. 4412, amended) then also was adopted. Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Establishing a sick leave bank for Sarah Chaplin, an employee of the Department of Correction (Senate, No. 2084, amended);

Third
reading
bills.

Authorizing the city of Easthampton to lease certain real estate (Senate, No. 2152, changed); and

Authorizing the town of Hamilton to establish a special fund for the Patton Homestead (Senate, No. 2245);

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 the town of Shutesbury to convey certain land (House, No. 4125); Id.
and

Establishing a sick leave bank for Felix Cruz, an employee of the Department of Youth Services (House, No. 4381);

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. DeLeo of Winthrop,—

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

Next sitting.

At twenty-four minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at ten o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, APRIL 23, 2018.

[44]*

JOURNAL OF THE HOUSE.

Monday, April 23, 2018.

Met according to adjournment at ten o'clock A.M.

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice and Right Judgment, we ask Your blessing upon the women and men of this House as they begin in earnest the deliberations and negotiations to create a budget for our Commonwealth.

Prayer.

Grant our Representatives and their staff a spirit of collaboration and share with them Your virtue of hope as they enter this week of long hours and hard work.

Bless especially those who will be away from their families during this time and keep watch over their loved ones.

The unique family here in this chamber mourns the loss of one of its members, Representative Jim Miceli of Wilmington. As 19th Middlesex Representative, he served Tewksbury and his hometown in this Chamber since 1977.

In the Catholic vigil or wake service, there is a prayer for the recently deceased, let us pray:

Lord Jesus, our Redeemer,
You willingly gave yourself up to death,
So that all might be saved and pass from death to life.
We humbly ask You to comfort your servants in their grief
And to receive James Miceli into the arms of Your mercy.
You alone are the Holy One, You are mercy itself;
By dying You unlocked the gates of life
for those who believe in You.
Forgive Jim his sins
And grant him a place of happiness, light and peace
in the kingdom of Your glory for ever and ever.
Amen.
May God continue to bless our Commonwealth.

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Prayer.

At the request of Speaker DeLeo, the members, guests and employees stood in a moment of silent tribute to the memory of Representative James R. Miceli of Wilmington, a member of the House from Wilmington from 1977 to 2018, inclusive.

Representative James R. Miceli of Wilmington.

Resolutions.

UNCORRECTED PROOF

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

Resolutions (filed by Mr. Brodeur of Melrose) honoring Mary Rita O’Shea on her retirement from the city of Melrose;

Mary Rita
O’Shea.

Resolutions (filed by Mr. Kafka of Stoughton and other members of the House) celebrating North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day;

Occupational
Safety and
Health.

Resolutions (filed by Mr. Pignatelli of Lenox) honoring the Southern Berkshire Volunteer Ambulance Squad on celebrating its fiftieth anniversary; and

Berkshire
Ambulance.

Resolutions (filed by Mr. Sánchez of Boston) honoring Officer Jerry Smart for his years of service to the Boston Police Department;

Jerry
Smart.

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

Order.

On motion of Mr. Galvin of Canton,—

“*Ordered*, That notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for the Chairman, Vice-Chairman and Assistant Vice-Chairman of the committee on Ways and Means whenever said members are conducting deliberations on amendment categories of the General Appropriation Bill, during consideration of said General Appropriation Bill.”.

Representatives
Sánchez,
Kulik and
Malia,—
voting.

Petitions.

Petitions severally were presented and referred as follows:

By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 4442) of Danielle W. Gregoire, James B. Eldridge and Carmine L. Gentile (with the approval of the mayor and city council) relative to authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises; and

Marlborough,—
liquor
licenses.

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 4443) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Otis be authorized to grant one additional license for the sale of all alcoholic beverages to be drunk off the premises in said town;

Otis,—
liquor
license.

Severally to the committee on Consumer Protection and Professional Licensure.

By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 4444) of Danielle W. Gregoire and others (by vote of the town) relative to the title of the director of information technology in the town of Westborough. To the committee on Municipalities and Regional Government.

Westborough,—
technology
director.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Coppinger of Boston, a petition (subject to Joint Rule 12) of Edward F.

Paula

UNCORRECTED PROOF

Coppinger for legislation to establish a sick leave bank for Paula Donahue, an employee of the Department of Public Health.

By Ms. Matias of Lawrence, a petition (subject to Joint Rule 12) of Juana B. Matias relative to alternative disciplinary action for students enrolled in public schools.

By Representatives Matias of Lawrence and Vargas of Haverhill, a petition (subject to Joint Rule 12) of Juana B. Matias and Andres X. Vargas relative to certificates of organization for certain limited liability corporations.

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

Donahue,—
sick leave.

Schools,—
discipline
alternative.

Organization
certificates.

Paper from the Senate.

A Bill validating certain proceedings of the town of Hull (printed in Senate, No. 2157) (on a message from His Excellency the Governor), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hull,—
town
meeting.

Reports of Committees.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Bill to promote and enhance civic engagement (Senate, No. 2375);

Of the Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 119);

Of the Bill establishing a commission to study veterans transportation issues (House, No. 1937);

Of the Bill establishing a special commission on two-generation approaches to childhood education (House, No. 1969);

Of the Bill establishing a commission to study the financial abuse of elders (House, No. 2895);

Of the Bill relative to public safety at the intersection of Brush Hill Road and Truman Parkway in Milton (House, No. 3638);

Of the Resolve establishing a commission to study the feasibility of a secure choice retirement savings option (House, No. 4330); and

Of the Bill relative to the cost of veteran higher education (House, No. 4376);

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.

Civic engagement.

Gender
responsive
programming.

Veterans
transportation.

Childhood
education.

Elder financial
abuse.

Milton,—
traffic study.

Retirement
savings.

Veterans.

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

Establishing a sick leave bank for Daisy F. Bolden, an employee of the Massachusetts Teachers' Retirement System (House, No. 4409);

Establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court (House, No. 4423); and

Establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (House, No. 4424);

Daisy Bolden,—
sick leave.

Stephanie Perez,—
sick leave.

George Hodgdon,—
sick leave.

UNCORRECTED PROOF

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

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill combatting misinformation about ex-offender voting rights (House, No. 3558, changed in lines 2, 8, 13, 16 and 21 by inserting after the word “felony”, in each instance, the words “or a misdemeanor”, in lines 5 and 6, and 18 and 19 by striking out the words “and shall confirm, in writing, that he or she was so notified”; in lines 10 and 11, and 14 and 15 by striking out the words “, and shall obtain written confirmation from said person that he or she was so notified”; and in lines 23 and 24 by striking out the words “and shall obtain written confirmation from said person that he or she was so notified”) [Mr. Lombardo of Billerica dissenting].

Voting rights,—
ex-offenders.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 641 and House, No. 622, a Bill eliminating racial and ethnic health disparities in the Commonwealth (House, No. 622) [Cost: Greater than \$100,000.00].

Health,—
racial, etc.
disparities.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4339, a Bill designating the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley (House, No. 4435).

Quincy,—
Francis
McCauley.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, No. 629, a Bill relative to the public safety on urban college campuses (House, No. 4436).

Campus
safety.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2636, a Bill relative to a senior exemption for the town of Harwich (House, No. 4437) [Local Approval Received].

Harwich,—
exemptions.

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

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, ought NOT to pass, on the petition (accompanied by bill, House, No. 2360) of Tackey Chan relative to workers’ compensation insurance [Mr. Rogers of Norwood dissenting].

Workers’
compensation
insurance.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2364) of David F. DeCoste relative to the right to organize of certain workers [Mr. Rogers of Norwood dissenting].

Organization
of workers.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Sarah Chaplin, an employee of the Department of Correction (see Senate, No. 2084, 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.

Sarah
Chaplin,—
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 71 to 0. Sent to the Senate for concurrence.

Subsequently (Mr. Donato of Medford being in the Chair), 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 sent to the Senate.

Bill enacted.

The Speaker being in the Chair,—

The engrossed Bill establishing a sick leave bank for Dawn Parmenter, an employee of the Department of Correction (see House, No. 4090, 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.

Dawn Parmenter,— 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 63 to 0. Sent to the Senate for concurrence.

Subsequently (Mr. Donato of Medford being in the Chair), 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 sent to the Senate.

Bill enacted.

Engrossed Bills.

The Speaker being in the Chair,—

Engrossed bills

Authorizing the city of Easthampton to lease certain real estate (see Senate, No. 2152, changed); and

Authorizing the town of Hamilton to establish a special fund for the Patton Homestead (see Senate, No. 2245);

(Which severally originated in the Senate);

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 Speaker and sent to the Senate.

Bills enacted.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400) [Total appropriation: \$40,983,440,827.00], was read a second time.

General Appropriation Bill.

Mr. Donato of Medford being in the Chair,—

After remarks on the question on ordering the bill to a third reading, Mr. Jones of North Reading and other members of the House moved to amend it by adding the following section:

“SECTION 46. Notwithstanding any general or special law to the contrary, in the event that all taxable revenue of the commonwealth which is available for appropriation or supplemental appropriation for the fiscal year ending June 30, 2019 exceeds \$26,860,000,000, as certified by the treasurer and the comptroller, not less than 50 percent of such excess taxable revenue up to a total of \$100,000,000 shall be available to cities and towns; provided, the excess revenue shall be distributed on

a proportional basis pursuant to the distribution of unrestricted general government aid, as prescribed in section 3 of the annual general appropriations act; provided further, that the treasurer shall notify the clerks of the House of Representatives and the Senate and the commissioner of administration of any such distribution not more than 30 days after it occurs; and provided further, that for purposes of this section, the term ‘excess taxable revenue’ shall not include any funds payable to or received by the commonwealth which are directly attributable to any change in general or special law enacted after July 1, 2018 and which enhance taxable revenue of the commonwealth.”.

The amendment was rejected.

Mr. McKenna of Webster and other members of the House then moved to amend the bill by adding the following section:

“SECTION 46: Section 6 of Chapter 62 of the MGL is hereby amending by adding after subsection (I) the following new subsection:

section (j) Any owner of residential property located in the commonwealth who is not a dependent of another taxpayer and who occupies said property as his principal residence, if said residence has water supplied solely by connection to a public water supply, shall be allowed a credit equal to 60 per cent of the expenditures related to the installation of a home water filtration system if the water being provided is deemed unclean or unsafe by the department. Eligible expenditures shall be the actual cost to the taxpayer or \$2,500, whichever is less; provided, however, that said credit shall be available to eligible taxpayers beginning in the tax year in which the installation of said filtration system was installed; and provided, further, that said credit shall not exceed \$750 in any tax year and any excess credit may be applied over the following tax years up to an aggregate maximum of \$1,500. The department shall promulgate such rules and regulations as are necessary to administer the credit afforded by this subsection, including, but not limited to, a notification that continued maintenance of said filtration system to include replacement filters are not eligible expenses.”.

The amendment was rejected.

Messrs. Lombardo of Billerica and Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 46. (a) Section 2 of Chapter 64H of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.

(b)SECTION 2. Section 2 of Chapter 64I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”.

The amendment was rejected.

The same members then moved to amend the bill by adding the following section:

“SECTION 46: (a) Section 4 of said chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Part B taxable income shall be taxed at the rate of 5 percent.

(b) Subsection (a) of this act shall be effective beginning January 1, 2019.”.

The amendment was rejected.

Messrs. Lombardo of Billerica, Whelan of Brewster and Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 46: Section 12 of chapter 64A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding at the end thereof the

following paragraph:-

Any sale of fuel, including but not limited to unleaded gasoline and diesel fuel, by a distributor to the commonwealth, any state agency or any municipality or its agencies shall be exempt from the tax per gallon contained in this chapter.”.

The amendment was rejected.

Mr. Scaccia of Boston then moved to amend the bill by adding the following four sections:

“SECTION 46. Section 6 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 584-585, the words ‘, any costs related to the transfer of tax credits’.

SECTION 47. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out paragraph (5) of subsection (1).

SECTION 48. Section 38X of chapter 63, as so appearing, is hereby amended by striking out, in lines 40-41, the words ‘, any costs related to the transfer of tax credits’.

SECTION 49. Said section 38X of said chapter 63, as so appearing, is hereby further amended by striking out subsection (e).”.

After debate the amendment was rejected.

The same member then moved to amend the bill by adding the following two sections:

“SECTION 46. Section 6 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after paragraph (8) in subsection (1), the following 2 paragraphs:-

(9) By electing the credits under this subsection or under section 38X of chapter 63, or by accepting the value of such credits as a transferee, the taxpayer consents to being publicly identified as a beneficiary of the credits and to the public disclosure of the dollar value of the credits received by the taxpayer. A transferee further consents to the public disclosure of the value of cash or in-kind payments to the original credit recipient in consideration for the transferred credits.

(10) The commissioner of revenue, in conjunction with the secretary of economic development, shall annually complete a detailed report for the preceding fiscal year of the tax credits in this subsection and in section 38X of chapter 63. The report shall provide for such fiscal year a complete list of all recipients of credits under this subsection and under said section 38X, and list for each recipient the total dollar value of credits received, and, if applicable, the amounts carried forward or refunded; provided that in the case of transferred credits, the transferee shall be listed along with the original credit recipient and the report shall detail the original value of the credit, the value received by the transferee and the value of cash or in-kind payments to the original credit recipient by the transferee in consideration for the transferred credits. The report shall also provide for each credit the total amounts credited, refunded or carried forward in such fiscal year, the anticipated return on investment to the commonwealth from the credited funds during such fiscal year and a tracking of job creation as a result of the credits. The report shall be annually submitted to the governor, the secretary of administration and finance, the state comptroller, the house and senate committee on ways and means, the joint committee on revenue and the joint committee on economic development and emerging technologies on or before October 1. The report shall be posted on the internet in a manner accessible to the public.

SECTION 47. Section 38X of chapter 63, as so appearing, is hereby amended by inserting at the end thereof the following 2 subsections:-

(h) By electing the credits under this section or under subsection (l) of section 6

of chapter 62, or by accepting the value of such credits as a transferee, the taxpayer consents to being publicly identified as a beneficiary of the credits and to the public disclosure of the dollar value of the credits received by the taxpayer. A transferee further consents to the public disclosure of the value of cash or in-kind payments to the original credit recipient in consideration for the transferred credits.

(i) The commissioner of revenue, in conjunction with the secretary of economic development, shall annually complete a detailed report for the preceding fiscal year of the tax credits in this section and in subsection (l) of section 6 of chapter 62. The report shall provide for such fiscal year a complete list of all recipients of credits under this section and under said subsection (l) of said section 6, and list for each recipient the total dollar value of credits received, and, if applicable, the amounts carried forward or refunded; provided that in the case of transferred credits, the transferee shall be listed along with the original credit recipient and the report shall detail the original value of the credit, the value received by the transferee and the value of cash or in-kind payments to the original credit recipient by the transferee in consideration for the transferred credits. The report shall also provide for each credit the total amounts credited, refunded or carried forward in such fiscal year, the anticipated return on investment to the commonwealth from the credited funds during such fiscal year and a tracking of job creation as a result of the credits. The report shall be annually submitted to the governor, the secretary of administration and finance, the state comptroller, the house and senate committee on ways and means, the joint committee on revenue and the joint committee on economic development and emerging technologies on or before October 1. The report shall be posted on the internet in a manner accessible to the public.”

The amendment was rejected.

Mr. Scaccia then moved to amend the bill by adding the following two sections:

“SECTION 46. Notwithstanding any general or special law to the contrary, the department of revenue shall not accept any applications for exemptions from the sales tax from a motion picture production company under subsection (ww) of section 6 of chapter 64H after June 30, 2019.

SECTION 47. Notwithstanding any general or special law to the contrary, the department of revenue shall not allow a credit under subsection (l) of section 6 of chapter 62 or under section 38X of chapter 63 for any total aggregate payroll or production expense, as those terms are used in subsection (l) of section 6 of chapter 62 and in section 38X of chapter 63, incurred after June 30, 2020.”

The amendment was rejected.

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by adding the following section:

“SECTION 46. (a) Notwithstanding any general or special law to the contrary, for the consecutive third Saturday and third Sunday in August each year, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, or a single item the price of which is in excess of \$2,500.

(b) Notwithstanding any general or special law to the contrary, for the consecutive third Saturday and third Sunday of August, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of

tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on the consecutive third Saturday and third Sunday of August. An excise erroneously or improperly collected during the consecutive third Saturday and third Sunday of August, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, or a single item the price of which is in excess of \$2,500.

(c) Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of the consecutive third Saturday and third Sunday of August.

(d) The commissioner of revenue shall issue instructions or forms or promulgate rules or regulations, necessary for the implementation of this act.

(e) Eligible sales at retail of tangible personal property under sections 175 and 176 of chapter 64H are restricted to those transactions occurring on the consecutive third Saturday and third Sunday of August. Transfer of possession of or payment in full for the property shall occur on one of those days, and prior sales or layaway sales shall be ineligible.

(f) This act shall take effect beginning August 19, 2019.”

The amendment was rejected.

Messrs. Lyons of Andover and Vieira of Falmouth then moved to amend the bill by adding the following two sections:

“SECTION 46. Paragraph (5) of subsection (b) of part B of section 3 of chapter 62 of the 2016 Official Edition of the General Laws is hereby amended by striking paragraph (5) in its entirety and inserting in place thereof the following:-

(5) An amount equal to the total expenses paid by the taxpayer within the taxable year to adopt children. Expenses shall consist of fees paid to any agency licensed to place children for adoption, attorneys fees, court fees, and medical expenses, including copayments for medical services, incurred in the adoption process of a minor child.

SECTION 47. Section 6 of said chapter 62 is hereby amended by adding the following subsection:-

(u) An refundable adoption tax credit of \$1,000 per adopted child in a calendar year shall allowed to one adoptive parent against any taxes due pursuant to this chapter.”

The amendment was rejected.

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 46. (a) Section 2 of Chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.

SECTION 47 (b) Section 2 of Chapter 64I of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Whitman was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the

amendment was laid aside accordingly.

Representatives Lyons of Andover, Kuros of Uxbridge and O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 46: (a). Section 2 of chapter 64H of the General Laws, as amended by chapter 27 of the acts of 2009, is hereby amended by striking out, in line 3, the words ‘6.25 per cent’ and inserting in place thereof the following words:- five percent. (b). Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the figure ‘6.25’ and inserting in place thereof, in each instance, the following word:- five. (c). Section 2 of chapter 64I of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the words ‘6.25 per cent’ and inserting in place thereof the following words:- five percent. (d). Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the figure ‘6.25’ and inserting in place thereof, in each instance, the following word:- five.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Andover was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by adding the following section:

“SECTION 46. (a) Section 4 of said Chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Part B taxable income shall be taxed at the rate of 5 percent.

(b) Subsection (a) of this act shall be effective beginning January 1, 2019.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Whitman was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Representatives Lyons of Andover, Kuros of Uxbridge and O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 46. Section 4 of Chapter 62 of the General Laws is hereby amended in the first line of subsection (b) by striking ‘5.3 per cent’ and replacing it with ‘five per cent’.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Andover was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato of Medford) stated ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by adding the following section:

“SECTION 46. Section 6 of chapter 64H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:-

(yy) Sales of nonprescription drugs or medicines available for purchase for use in or on the body, including: vitamin or mineral concentrates; dietary supplements;

natural or herbal drugs or medicines; products intended to be taken for coughs, cold, asthma or allergies or antihistamines; laxatives; antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral and antifungal medicines; antiseptics; astringents; anesthetics; steroidal medicines; anthelmintics; emetics and antiemetics; antacids; and any medication prepared to be used in the eyes, ears or nose; provided, however, that nonprescription drugs or medicines shall not include cosmetics, dentrifices, mouthwash, shaving and hair care products, soaps or deodorants.”.

After remarks the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 46A. Notwithstanding any general or special law to the contrary, the provisions of section 46 shall not take effect until such time as the executive office of administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

The further amendment was adopted.

The amendment, as amended, then also was adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 47. (a) Notwithstanding any general or special law to the contrary, for the days of March 22-27, inclusive, of each calendar year the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

(b) Notwithstanding any general or special law to the contrary, for the days of March 22-27, 2019, inclusive, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on March 22-27, inclusive, of each calendar year. An excise erroneously or improperly collected during the days of March 22-27, inclusive, of each calendar year, shall be remitted to the department of revenue. Any city or town which imposes a local option meals tax may still collect that tax during these dates.

(c) Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales on the days of March 22-27, inclusive, of each calendar year.

(d) On or before December 31, of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

(e) The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.”.

After remarks on the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 48. Notwithstanding any general or special law to the contrary, the provisions of section 47 shall not take effect until such time as the executive office of administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, anticipated changes in employment levels and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

The further amendment was adopted.

The amendment, as amended, then also was adopted.

Mr. Kaufman of Lexington and other members of the House then moved to amend the bill by inserting, after section 16, the following three sections:

“SECTION 16A. Said subsection (h) of said section 6 of said chapter 62, as amended by section 16 of chapter XX of the laws of 2018, is hereby amended by striking out, in lines 245 and 250, the figure ‘30’ and inserting in place thereof, in each instance, the following figure:- 40.

SECTION 16B. Said subsection (h) of said section 6 of said chapter 62, as amended by section 17 of chapter XX of the laws of 2018, is hereby further amended by striking out, in lines 245 and 250, the figure ‘40’ and inserting in place thereof, in each instance, the following figure:- 50.

SECTION 16C. (a) Said subsection (h) of said section 6 of said chapter 62, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word ‘year,’ in line 243, the following words:- , or such person would otherwise have qualified for the earned income credit or would have been able to claim additional qualifying children for the earned income credit but for subsection (m) of section 32 of the Code.

(b) Said subsection (h) of said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the word ‘taxpayer’, in line 250, the following words:- , or otherwise eligible to be received by the taxpayer but for subsection (m) of section 32 of the Code,.

(c) Said subsection (h) of said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:-

No credit shall be allowed under this subsection for any taxable year within (1) the period of 10 taxable years after the most recent taxable year for which there was a final determination by the commissioner that the taxpayer’s claim of the credit under this subsection was based on information that the taxpayer knew or had reason to know was false, fraudulent or deliberately misleading as to a material matter, or (2) the period of 2 taxable years after the most recent taxable year for which there was a final determination by the commissioner that the taxpayer’s claim of credit under this subsection was due to careless, reckless or intentional disregard by the taxpayer of the tax laws of the commonwealth or of public written statements issued by the commissioner.”; and

By adding the following two sections:

“SECTION 49. Sections 16A shall take effect on January 1, 2020.

SECTION 50. Section 16B shall take effect on January 1, 2021.”.

The amendments were rejected.

Mr. Pignatelli of Lenox and other members of the House then moved to amend the bill by inserting, after section 16, the following two sections:

“SECTION 16A. Subsection (o) of section 6 of chapter 62 of the General

Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 723, the figures ‘\$4,000,000’ and inserting in place thereof the following figures:- \$6,000,000.

SECTION 16B. Section 38Z of chapter 63, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 28, the figures ‘\$4,000,000’ and inserting in place thereof the following figures:-\$6,000,000.”.

The amendment was adopted.

The bill (House, No. 4400, amended) was then ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

On the question on passing the bill, as amended, to be engrossed, Mr. Scibak of South Hadley and other members of the House moved to amend it by adding the following section:

“SECTION 49. Chapter 128 of the General Laws is hereby amended by adding the following section:-

Section 116. (a) The following words as used in this section shall have the following meanings unless the context otherwise requires:

‘Farm’, lands that are used by a person for farming or agriculture as defined in section 1A.

‘Federal act’, the FDA Food Safety Modernization Act, Public Law No. 111-353, as amended.

‘Federal standards’, the standards adopted under the Federal Act for the growing, harvesting, packing, and holding of produce for human consumption, as set forth in Title 21, Part 112 of the Code of Federal Regulations, as amended.

‘Produce’, produce as defined in 21 C.F.R. § 112.3, as amended.

‘Produce farm’, any farm engaged in the growing, harvesting, packing, or holding of produce.

(b) The department may enforce in the Commonwealth the federal standards. The department may consult and collaborate, and enter into cooperative agreements, with the department of public health regarding application and enforcement of the federal act.

(c) (1) The department may enter upon and inspect a produce farm during reasonable hours for the purpose of ensuring compliance with the federal standards or, pursuant to paragraph (2) of this subsection, comparable state standards applicable to produce not meeting the definition of ‘covered produce’ under 21 C.F.R. § 112.3, as amended. The Commissioner may promulgate regulations as may be necessary to implement this paragraph.

(2) The department may conduct inspections of produce not meeting the definition of covered produce under 21 C.F.R. § 112.3, as amended, or a produce farm not subject to the federal standards under 21 C.F.R. §§ 112.4-11.25, as amended, only upon the request of the operator of the produce farm. Such request for inspection shall subject the produce farm and its operator to the authority of the department as set forth in this section.

(3) After inspection, the department may issue an inspection certificate that shall include the date and place of inspection along with any other information that the department may prescribe. The department may coordinate with other state and federal agencies and organizations to carry out inspections at or near the same time on a particular produce farm.

(d) The department may issue reasonable orders necessary to effectuate the purposes of this section, including but not limited to, orders for the embargo,

destruction, quarantine, and release of produce. The Commissioner may promulgate regulations as may be necessary to implement this subsection.

(e) The operator of a produce farm shall maintain records required by the federal act and rules adopted thereunder and shall make those records available to the department upon request.”

The amendment was adopted.

At twenty-nine minutes before seven o'clock P.M. (Monday, April 23), the Chair (Mrs. Haddad of Somerset) declared a recess until a quarter after seven o'clock; and at nineteen minutes after seven o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Representatives Frost of Auburn and Benson of Lunenburg then moved to amend the bill in section 2 by inserting after 7010-0005 the following item:

“XXXX-XXXX. There shall be established and placed within the Department of Elementary and Secondary Education (DESE) a School Resource Officer Matching Grant Program, to be held by DESE separate and apart from its other funds. Provided a school district has existing school resource officers, those school districts may only be eligible for the School Resource Officer Matching Fund Grant Program if additional officers are accounted for in the municipal budget from the previous fiscal year ... \$25,000,000”.

After remarks the amendment was rejected.

Mr. Lyons of Andover then moved to amend the bill in section 2, in item 1233-2350, by striking out the figures: “1,098,945,897” and inserting in place thereof the figures: “2,234,211,062.46”; and in item 7061-0008 by striking out the figures: “4,871,530,948” and inserting in place thereof the figures: “6,358,908,409”.

After remarks the amendments were rejected.

The Chair (Mr. Donato of Medford) placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Suspension of Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 122 members voted in the affirmative and 33 in the negative.

Rule 1A suspended,—yea and nay No. 326.

[See Yea and Nay No. 326 in Supplement.]

Therefore Rule 1A was suspended.

Mrs. Ferguson of Holden and other members of the House then moved to amend the bill by adding the following section:

“SECTION 50. There shall be a regional school district foundation budget commission to review the way that regional school districts are funded and to recommend a framework that better accounts for differences between the towns that make up these districts and how the funding is distributed. In conducting the review, the commission shall seek to determine, with respect to regional school districts, the educational programs and services necessary to achieve the commonwealth's educational goals and to prepare students to achieve passing scores on the Massachusetts Comprehensive Assessment System examinations. The review shall include, but not be limited to, those components of the regional school district foundation budget established pursuant to section 3 of chapter 70 of the General Laws. Further, the commission shall seek to determine and recommend measures to promote the adoption of ways in which resources may be most effectively utilized and consider various models of efficient and effective resource allocation. The commissioner of elementary and secondary education shall provide any data and information to the commission that the commissioner considers relevant to the

commission’s charge.

The commission shall consist of 1 person who shall be appointed by the senate president, who shall serve as co-chair; 1 person who shall be appointed by the minority leader of the senate; 1 person who shall be appointed by the speaker of the house of representatives, who shall serve as co-chair; 1 person who shall be appointed by the minority leader of the house of representatives; 1 person who shall be appointed by the secretary of education; 1 person who shall be appointed by the commissioner of elementary and secondary education and 8 persons who shall be appointed by the governor, all of whom shall have experience working with a regional school district, 1 of whom shall be a representative of the Massachusetts Association of Regional Schools, Inc., 1 of whom shall be a representative of the Massachusetts Association of School Committees, 1 of whom shall be a representative of the Massachusetts Association of School Business Officials, Inc., 1 of whom shall be a representative of the Massachusetts Teachers Association, 1 of whom shall be a representative of the Massachusetts Association of School Superintendents, 1 of whom shall be a high school student attending a school in a regional school district and 1 of whom shall be a representative of the Massachusetts Budget and Policy Center, Inc. Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The commissioner of elementary and secondary education may furnish reasonable staff and other support for the work of the commission.

Before issuing its recommendations, the commission shall conduct not less than 4 public hearings across regions of the commonwealth. It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person or on the rate at which that person may be compensated. The commission may establish procedures to ensure that no such person shall participate in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.

The commission shall file its report, together with drafts of its recommended legislation, with the clerks of the senate and house of representatives, the senate and house chairs of the joint committee on education and the chairs of the senate and house committees on ways and means not later than December 31, 2019.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 40 members voted in the affirmative and 114 in the negative.

[See Ye and Nay No. 327 in Supplement.]

Therefore the amendment was rejected.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2 by inserting after item 1599-7104 the following item:

“1599-7114 For a reserve for the costs associated with the UMass Center at Springfield.\$250,000”;

In item 3000-2050 by striking out the figures: “1,102,494” and inserting in place thereof the figures: “1,152,494”;

In item 3000-7000 by striking out the figures: “14,586,187” and inserting in place thereof the figures: “14,686,187”;

In item 3000-7050, in line 17, by inserting after the word “centers” the following: “; provided further, that not less than \$100,000 more than fiscal year 2018 shall be expended on said parent-child home program”; and in said item by

Amendment rejected,— yea and nay No. 327.

Consolidated amendments (education and local aid).

striking out the figures: “13,442,000” and inserting in place thereof the figures: “13,542,000”;

In item 7000-9401, in line 16, by striking out the figures: “40.7” and inserting in place thereof the figures: “42.4”; and in said item by striking out the figures: “10,082,140” and inserting in place thereof the figures: “10,282,140”;

In item 7000-9501, in line 15, by inserting after the word “program” the following: “; provided further, that not less than \$50,000 shall be expended for the Stoneham Public Library; provided further, that not less than \$50,000 shall be expended for the Hispanic American Library in Springfield; provided further, that not less than \$100,000 shall be expended for repairs to the Salem Public Library”; and in said item by striking out the figures: “9,090,000” and inserting in place thereof the figures: “9,490,000”;

In item 7000-9506 by striking out the figures: “2,115,928” and inserting in place thereof the figures: “2,215,928”;

By inserting after item 7000-9506 the following item:

“7000-9508 For the Massachusetts Center for the Book, Inc., chartered as the Commonwealth Affiliate of the Center for the Book in the Library of Congress; provided, that the Massachusetts Center for the Book, Inc. shall continue its work as a public-private partnership.....\$200,000”;

In item 7010-0033, in line 2, by striking out the figures: “100,000” and inserting in place thereof the figures: “300,000”; and in line 5 by inserting after the word “education” the following: “; provided further, that not less than \$10,000 shall be expended to On the Move, Inc. ; provided further, that not less than \$15,000 shall be expended to the Rockland public schools district for teacher training to develop and support an English language learner program; provided further, that not less than \$15,000 shall be expended for Hanover public schools district teacher training to develop and support an English language learner program; provided further, that not less than \$20,000 be expended for La Feria Internacional del Libro Inc., in the city of Lawrence for the purpose of assisting literacy and promoting reading in the greater Lawrence community through advocacy, programming, and the annual Lawrence International Book Festival”; and in said item by striking out the figures: “1,496,545” and inserting in place thereof the figures: “1,756,545”;

By inserting after item 7010-0333 the following item:

“7010-1192 For grants to school districts for educational improvement projects; provided, that not less than \$500,000 shall be expended for the Edward M. Kennedy Institute to expand civics education programs, including investments in curriculum and technology; provided further, that not less than \$50,000 shall be expended for classroom upgrades at the Woodland, Powder Mill and High Schools in the town of Southwick; provided further, that not less than \$50,000 shall be expended for the purposes of a pilot project to connect organic gardening, outdoor exercise, healthy food, food preparation and elementary school aged children in the greater Northampton area, operated by Grow Food Northampton; provided further, that not less than \$35,000 shall be expended for technology upgrades in the Whitman-Hanson Regional School District; provided further, that not less than \$25,000 shall be expended for improvements in the Sandwich public schools; provided further, that not less than \$25,000 shall be expended for improvements for buildings within the Upper

Cape Cod regional school district; provided further, that not less than \$20,000 shall be expended for improvements to Norwell public schools; provided further, that not less than \$35,000 shall be expended for the operation of Camp Pohelo in the town of Tewksbury; provided further, that not less than \$35,000 shall be expended for the establishment of the Shawsheen Valley Full Potential Project summer camp at the Shawsheen Valley Regional Technical High School; provided further, that not less than \$100,000 shall be expended for the purpose of maintaining or reducing the Peabody Public School system's kindergarten class size; provided further, that not less than \$5,000 shall be expended for automatic defibrillators for the Freetown-Lakeville School System; provided further, that not less than \$100,000 shall be expended for the Brockton public school district; provided further, that not less than \$50,000 shall be expended to Tri-County Regional Vocational Technical High School; provided further, that not less than \$50,000 shall be expended for the Springfield public school district to continue data-supported programming to address the needs of at-risk middle and high school students; provided further, that not less than \$60,000 shall be expended on Methuen High School for mental health services; provided further, that not less than \$50,000 shall be expended to the town of Westford for the construction, renovation and upgrade of a new playground at the Norman E. Day Elementary School in the town of Westford; provided further, that not less than \$20,000 shall be expended for a certified nursing assistance program in the Ware Public Schools; provided further that, notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation; and provided further that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws.....\$1,210,000”;

In item 7027-0019, in line 16, by inserting after the word “teachers” the following: “; provided further, that not less than \$100,000 shall be expended to Project Learn in Lowell; provided further, that not less than \$100,000 shall be expended for Triangle, Inc.’s School to Career Program that connects special education students with disabilities in Greater Boston to careers and their local communities”; and in said item by striking out the figures: “3,918,499” and inserting in place thereof the figures: “4,118,499”;

In item 7035-0002, in line 5, by inserting after the word “education” the following: “; provided further, that not less than \$150,000 shall be expended for Operation A.B.L.E. of Greater Boston to provide basic workforce and skills training, employment services and job re-entry support to older workers”; and in said item by striking out the figures: “32,582,378” and inserting in place thereof the figures: “32,732,378”;

In item 7035-0006 by striking out the figures: “62,521,000” and inserting in place thereof the figures: “63,521,000”;

In item 7061-0012, in line 20, by inserting after the word “settings” the following: “; provided further, that not less than \$250,000 shall be expended for school districts in which special education costs exceed 25 per cent of the total

district costs and in which tuition and other circuit-breaker eligible costs for placements at an approved private school located within the district exceed both \$1,000,000 and 25 per cent of all tuition and other circuit-breaker eligible costs for placements at approved private schools”; and in said item by striking out the figures: “300,000,000” and inserting in place thereof the figures: “300,250,000”;

By inserting after item 7061-0029 the following item:

“7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on the military reservation known as Hanscom Air Force Base located within the town’s limits (‘Hanscom Towns’); provided, that any grants provided under this item shall be expended by a school committee without further appropriation; provided further, that funds may be expended on membership dues for the Interstate Compact on Educational Opportunity for Military Children; provided further, that Hanscom Towns may apply for funding in excess of this initial appropriation if funds under this item are increased and a Hanscom Town demonstrates that it would otherwise qualify for an amount greater than the initial funding of this item when compared with all other accepted applications using the same formula applied for in item 7061-0033 in section 2 of chapter 139 of the acts of 2012; and provided further, that not less than \$100,000 shall be made available to the town of Lincoln to mitigate the costs of educating the children of retired-military families.....\$500,000”;

By striking out item 7061-9400 and inserting in place thereof the following item:

“7061-9400 For student and school assessment including the development and implementation of related curriculum standards and instructional support, including the administration of the Massachusetts Comprehensive Assessment System exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws; provided, that the department of elementary and secondary education shall expend funds for school and student assessment in accordance with the determination made by the board of elementary and secondary education as to the method of assessment in the 2018-2019 school year; provided further, that up to \$1,000,000 shall be expended for the development of new high school assessments and assessments aligned to newly adopted standards in the areas of civics, history and social science, as well as the inclusion of professional development programs to support educators and promote the effective implementation of those newly adopted standards; and provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve measures which shall be relevant and meaningful to students, parents, teachers, administrators, and taxpayers pursuant to the first paragraph of said section 1I of said chapter 69.....\$32,134,648”;

In item 7061-9611, in line 27, by inserting after the word “months” the following: “; provided further, that not less than \$10,000 shall be expended for Old

Hill Sports and Mentoring program; provided further, that not less than \$30,000 shall be appropriated to Homework House of Holyoke; provided further, that not less than \$100,000 shall be expended for the Youth Court programs of New Bedford and Fall River to support juvenile diversion programs based on the principles of peer-led restorative justice; provided further, that not less than \$100,000 shall be expended for the Department of Community Services in the City of New Bedford to support the after-school Girls STEAM Design Academy program; provided further, that not less than \$20,000 shall be granted to the Cape Verdean Association of Brockton for employment positions for at-risk youth within their YEP! We Can Summer Program; provided further, that not less than \$50,000 shall be expended for the I Have a Future program; provided further, that not less than \$50,000 shall be expended for The Mazie Partnership of Wayland in support of the mentoring of at-risk students in the Commonwealth; provided further, that not less than \$15,000 shall be expended for programs through Auburn Youth and Family Services, Inc.; provided further, that not less than \$20,000 shall be expended for Steps to Success, Inc. in the town of Brookline; provided further, that not less than \$50,000 shall be expended for the Recreation Worcester program”; and in said item by striking out the figures: “2,376,923” and inserting in place thereof the figures: “3,021,923”;

In item 7061-9626 by striking out the figures: “1,750,000” and inserting in place thereof the figures: “2,000,000”;

In item 7066-0000, in line 5, by inserting after the word “institutions” the following: “; provided further, that \$1,000,000 shall be expended for the state university internship incentive program established in item 7066-0000 of section 2 of chapter 139 of the acts of 2012; provided further, that the commonwealth shall contribute funds to each institution in an amount necessary to match private contributions in the current fiscal year to the institution’s internship incentive program; provided further, that the commonwealth’s contribution shall be equal to \$1 for every \$1 privately contributed to each university’s board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be not more than the amount appropriated in this item; provided further, that funds from this program shall not result in direct or indirect reduction in the commonwealth’s appropriations to the institutions for operations, scholarships, financial aid or any state appropriation and the department shall promulgate regulations and criteria for the program”; and in said item by striking out the figures: “1,914,768” and inserting in place thereof the figures: “2,914,768”;

In item 7066-0009 by striking out the figures: “183,825” and inserting in place thereof the figures: “368,250”;

By inserting after item 7066-0009 the following item:

“7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General.....\$750,000”;

By inserting after item 7066-0036 the following item:

“7066-0040 For adult college transition services focused on low-income and entry-level workers; provided, that funds shall be awarded competitively by the board of higher education to adult basic education providers, including local education agencies, community-based organizations, community colleges and correctional facilities with recognized success in bridging academic gaps of underserved populations and resulting in college entrance, retention and completion; provided further, that program awardees shall report to the department of higher

education on attendees' successful transition to college and that the program shall deliver to the joint committee on education and the house and senate committees on ways and means not later than February 15, 2019, an evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps; and provided further, that appropriated funds may be expended for programs or activities during the summer months.....\$250,000”;

In item 7066-9600 by striking out the figures: “1,381,916” and inserting in place thereof the figures: “1,581,916”;

In item 7070-0065 by adding the following: “; and provided further, that not less than \$175,000 shall be expended towards scholarship support for Urban College of Boston students”; and in said item by striking out the figures: “103,511,798” and inserting in place thereof the figures: “103,686,798”;

By inserting after item 7100-4000 the following item:
“7518-0120 For state university and community college efficiency efforts through the PACE initiative..... \$200,000”;

In item 7100-0200, in line 9, by inserting after the word “maintenance” the following: “; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts at Amherst Cranberry Station; provided further, that funding for all centers and institutes at UMass Boston shall be provided at an amount not less than in fiscal year 2018; provided further, that if as a result of extraordinary or unforeseen circumstances, the university deems it necessary to reduce funding to said institutions, the university shall issue a report detailing: (a) the reasons for said reductions; (b) all steps taken to avoid such reductions, including, but not limited to, the identification of other sources of existing funds, raising of new revenues and the pursuit of savings initiatives and efficiencies; and (c) a mitigation plan to ameliorate the effects on students and university staff of such reductions, of which input from such parties shall be solicited; and provided further, that said report shall be provided to the house and senate chairs of the joint committee on higher education and the chairs of the house and senate ways and means committees not later than 60 days prior to any such funding reduction or institutional closure”;

In item 7115-0100 by adding the following: “; provided, that not less than \$25,000 shall be expended on the expansion of assistive technology for students with learning disabilities at Banacos Academic Center at Westfield State University”; and in said item by striking out the figures: “27,094,027” and inserting in place thereof the figures: “27,119,027”;

In item 7503-0100 by adding the following following: “; provided, that not less than \$100,000 shall be made available for the operation of the Veteran Educational Services Center located at Bristol Community College”; and in said item by striking out the figures: “20,840,813” and inserting in place thereof the figures: “20,940,813”;

In item 7505-0100 by adding the following: “; provided, that not less than \$75,000 shall be expended for the operation of the Sustainable Agriculture & Green Energy Program at Greenfield Community College”; and in said item by striking out the figures: “10,462,986” and inserting in place thereof the figures: “10,537,986”;

In item 7509-0100 by adding the following: “; provided further, that not less than \$150,000 shall be expended for advanced manufacturing and technology training programs”; and in said item by striking out the figures: “14,560,111” and

inserting in place thereof the figures: “14,710,111”;

In item 7511-0100 by adding the following: “; provided, that not less than \$50,000 shall be made available for the development and implementation of the Ability to Benefit pilot program, a career pathway program that partners Wellspring House, Inc. with North Shore Community College to integrate adult basic education with college-level coursework”; and in said item by striking out the figures: “21,568,575” and inserting in place thereof the figures: “21,618,575”;

In item 7515-0120 by striking out the figures: “900,000” and inserting in place thereof the figures: “925,000”; and

In section 32, in line 297, by inserting after the word “designee” the words “; the secretary of labor and workforce development, or a designee”.

After remarks on the question on adoption the consolidated amendments (local aid and education), the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 328 in Supplement.]

Therefore the consolidated amendments (local aid and education) were adopted.

Consolidated amendments adopted,—yea and nay No. 328.

Recess.

At fourteen minutes before ten o'clock P.M. (Monday, April 23, 2018), on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed until the following day at ten o'clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Tuesday, April 24, 2018 (at 10:00 o'clock A.M.).

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 Prayer.

During the session, the Speaker took the Chair and at his request the members, guests and employees stood in a moment of silent tribute to the memory of Officer Sean Gannon of the Yarmouth Police Department. Officer Gannon, an 8 year veteran of the department and its first K-9 narcotics officer, died in the line of duty on April 12th. He was 32 years old, and leaves behind a wife, Dana, his parents and siblings.

Officer
Sean
Gannon.

Speaker DeLeo was joined by the Cape delegation – Representatives Crocker of Barnstable, Fernandes of Falmouth, Hunt of Sandwich, Peake of Provincetown, and Whelan of Brewster.

Order.

The following order (filed by Mr. Roy of Franklin) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, May 16, 2018 within which time to make its final report on all matters referred to them on or before April 20, 2018.

Health Care
Financing
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4445), ought to be adopted. Under suspension of the rules, on motion of Mr. Roy of Franklin, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it in line 3 by inserting after the year “2018” the following: “and within 30 days on all matters referred to them after April 20, 2018”. The amendment was adopted.

The order (House, No. 4445, amended) then also was adopted.
Sent to the Senate for concurrence.

Petitions.

Mr. Markey of Dartmouth presented a petition (subject to Joint Rule 12) of Christopher M. Markey for legislation to establish a sick leave bank for Audrey Art, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the committee on Rules.

Audrey Art,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Representative McMurtry of Dedham and Senator Rush presented a joint

Paul Walsh,—

UNCORRECTED PROOF.

petition (subject to Joint Rule 12) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Paul Walsh, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules.

sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

Petitions severally were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2478) of Harriette L. Chandler and Harold P. Naughton, Jr. (by vote of the town) for legislation to regard transfer of retained earnings surplus in the town of Clinton; and

Clinton,—
surplus.

Petition (accompanied by bill, Senate, No. 2479) of Harriette L. Chandler and Harold P. Naughton, Jr. (by vote of the town) for legislation to regard snow and ice removal, and repair of private ways in the town of Clinton;

Clinton,—
snow
and ice.

Severally to the committee on Municipalities and Regional Government.

Reports of a Committee.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following bills ought to pass:

Relative to the position of poet laureate for the Commonwealth of Massachusetts (House, No. 1784); and

Poet laureate,—
study.

Renaming the Yawkey commuter rail station on the Worcester–Framingham line (House, No. 3887);

Yawkey station,—
renaming.

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

Recesses.

At seven minutes after ten o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-two minutes before eleven o'clock the House was called to order with Mr. Kafka of Stoughton in the Chair.

Recesses.

The House thereupon took a further recess subject to the call of the Chair; and at one minute before eleven o'clock A.M., the House was called to order with the Speaker in the Chair.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended), was considered.

General
Appropriation
Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Sánchez of Boston and other members of the House moved to amend it in section 2, in item 2000-0100, by adding the following: “; provided further, that not less than \$75,000 shall be expended for regional animal control in Cohasset, Hull and Norwell; provided further, that not less than \$25,000 shall be expended for a feasibility study on [A] waterways in Essex County; provided further, that not less than \$40,000 shall be expended for environmental remediation in Clinton; and provided further, that not less than \$30,000 shall be expended for a study of Eel Pond Inlet in the Waquoit Bay watershed”; and in said item by striking out the figures: “9,245,558” and inserting in place thereof the figures: “9,415,558”;

In item 2200-0100, in line 8, by inserting after the word “Laws” the following: “; provided further, that not less than \$25,000 shall be expended for water quality improvements in Falmouth; provided further; that not less than \$30,000 shall be expended for a sewer feasibility study in the town of Freetown”; and in said item by striking out the figures: “29,000,000” and inserting in place thereof the figures: “29,055,000”;

In item 2300-0101 by adding the following: “; and provided further, that not less than \$45,000 shall be expended for the Goldthwait marsh in Marblehead”; and in said item by striking out the figures: “855,156” and inserting in place thereof the figures: “900,156”;

In item 2330-0100, in line 33, by inserting after the word “Council” the following: “; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties; provided further, that not less than \$50,000 shall be expended for [B] coastal and marsh restoration; provided further, that not less than \$50,000 shall be expended for Fishing Academy, Inc.; provided further, that not less than \$100,000 shall be expended for the maintenance of Herring Run to Whitman’s Pond in Weymouth; provided further, that not less than \$150,000 shall be expended for the State Marine Genomics Program”; and in said item by striking out the figures: “6,359,735” and inserting in place thereof the figures: “6,884,735”;

In item 2511-0100 by adding the following: “; provided, that not less than \$200,000 shall be expended to meet the cost products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of Eastern Equine Encephalitis, West Nile virus and the Zika virus in Bristol and Plymouth Counties; provided further, that not less than \$100,000 shall be expended for the Homeless Animal Care and Adoption fund; provided further, that not less than \$90,000 shall be expended for the apiary inspection program; provided further, that not less than \$300,000 shall be expended for the Buy Local effort in Western, Central, Northeastern and Southeastern Massachusetts; provided further, that not less than \$120,000 shall be expended for the Massachusetts Farm to School Project; provided further, that not less than \$100,000 shall be expended for the Massachusetts Food Trust Program; and provided further, that not less than \$50,000 shall be expended for the Coastal Foodshed initiative in the Greater New Bedford area”; and in said item by striking out the figures: “4,945,785” and inserting in place thereof the figures: “5,905,785”;

In item 2511-0105, in line 5, by inserting after the word “banks” the following: “; provided further, that not less than \$85,000 shall be expended for the Cambridge Weekend Backpack Program; provided further, that not less than \$50,000 shall be expended for the Food for the World, Inc.; provided further, that not less than \$50,000 shall be expended for the Lovin’ Spoonful Food Rescue; provided further, that the department may assess an administrative charge not to exceed 2 per cent of

UNCORRECTED PROOF.

the total appropriation in this item”; in line 6, by striking out the figures: “1,500,000” and inserting in place thereof the figures: “1,000,000; and in said item by striking out the figures: “17,913,831” and inserting in place thereof the figures: “18,098,831”;

In item 2800-0100, in line 5, by inserting after the word “department” the following: “; provided, that not less than \$50,000 shall be expended for the establishment of a cooperative nature school in Sharon; provided further, that not less than \$350,000 shall be expended for aquatic invasive species control; provided further, that not less than \$50,000 shall be expended for flood protections in Clinton; provided further, that not less than \$50,000 shall be expended for a maintenance pilot program for Lake Chargoggagoggmanchauggagoggchaubunagungamaugg in Webster; provided further, that not less than \$35,000 shall be expended for an aquatic weed harvester machine in Duxbury”; and in said item by striking out the figures: “4,149,615” and inserting in place thereof the figures: “4,684,615”;

In item 2800-0500, in line 11, by inserting after the word “commission” the following: “; provided further, that not less than \$50,000 shall be expended for the cleanup of *Pilayella* algae on Kings Beach and Long Beach in Lynn; provided further, that not less than \$45,000 shall be expended for the Beach Access Resilience Project in Swampscott”; and in said item by striking out the figures: “1,140,000” and inserting in place thereof the figures: “1,235,000”;

In item 2800-0501, in line 18, by inserting after the figures: “30” the following: “; provided further, that not less than \$50,000 shall be expended for Coes Pond and Representative John J. Binienda Memorial Beach in Worcester”; and in said item by striking out the figures: “15,940,493” and inserting in place thereof the figures: “15,990,493”;

In item 2800-0700 by adding the following: “; and provided further, that not less than \$50,000 shall be expended for engineering improvements to the City Mills Dam in Norfolk”; and in said item by striking out the figures: “620,361” and inserting in place thereof the figures: “670,361”; and

By inserting after item 2810-0100 the following item:

“2810-0122 For special projects relating to the commonwealth’s state parks and recreational areas; provided, that not less than \$100,000 shall be expended for a new playground and improvements to Forge Beach in Westford; provided further, that not less than \$25,000 shall be expended for the National Historic Landmark status for Echo Bridge in Newton; provided further, that not less than \$25,000 shall be expended for the environmental preservation of Crystal Lake in Newton; provided further, that not less than \$40,000 shall be expended for Cook, Kiley, Flax Pond and Ames Playgrounds in Lynn; provided further, that not less than \$60,000 shall be expended for the development of the waterfront on the Merrimack River in Methuen; provided further, that not less than \$75,000 shall be expended for improvements to Nelson Playground in Brockton; provided further, that not less than \$150,000 shall be expended for the Ash Street Playground in Brockton, provided further, that not less than \$125,000 shall be expended for carbon vessels at the North Easton Village Wastewater Treatment Plant in Easton; provided further, that not less than \$50,000 shall be expended for upgrades to the Neponset Greenway; provided further, that

UNCORRECTED PROOF.

not less than \$50,000 shall be expended for the Blue Hills Trailside Museum in Milton; provided further, that not less than \$75,000 shall be expended for renovations to Danny Goodwin Park in Brockton; provided further, that not less than \$55,000 shall be expended for the maintenance of Red Rock Park in Lynn; provided further, that not less than \$100,000 shall be expended for a new playground at Lussiano Park in Arlington; provided further, that not less than \$50,000 shall be expended for park development in Ashland; provided further, that not less than \$25,000 shall be expended for improvements to Magazine Beach in Cambridge; provided further, that not less than \$75,000 shall be expended for tree removal in Worcester; provided further, that not less than \$250,000 shall be expended for playground and park projects in Lowell; provided further, that not less than \$75,000 shall be expended for Let's Row Boston; provided further, that not less than \$25,000 shall be expended for the Friends of Herter Park for the maintenance of the Artesani Park outdoor theatre; provided further, that not less than \$25,000 shall be expended for Chandler Pond in Brighton; provided further, that not less than \$200,000 shall be expended for a new veterans park in Lowell; provided further, that not less than \$40,000 shall be expended for a playground in Lancaster; provided further, that not less than \$175,000 shall be expended for tree re-planting in Worcester; provided further, that not less than \$50,000 shall be expended for Lynch Park in Beverly; provided further, that not less than \$50,000 shall be expended for the Massachusetts Central Rail Trail; provided further, that not less than \$50,000 shall be expended to conduct a study on the department of conservation and recreation land in Charlestown; provided further, that not less than \$100,000 shall be expended for improvements to Emerald Necklace in Fenway; provided further, that not less than \$75,000 shall be expended for construction on Malden River; provided further, that not less than \$25,000 shall be expended for improvements to the Quinnebaug Rail Trail in Dudley; provided further, that not less than \$25,000 shall be expended for garden irrigation projects in Berlin; provided further, that not less than \$25,000 shall be expended for repairs and upgrades by the recreation department in Billerica; provided further, that not less than \$50,000 shall be expended for the construction of the Yankee Doodle Bike Path in Billerica; provided further, that not less than \$50,000 shall be expended for the building of a recreational dog park in Braintree; and provided further, that notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation.....\$2,370,000”.

Mr. Donato of Medford in the Chair,—

After debate on the question on adoption of the amendments, Mr. Hill of Ipswich moved to amend them in item 2000-0100 by inserting at [A] the word “dredging”; and in item 2330-0100 by striking out at [B] the words “coastal and marsh restoration” and inserting in place thereof the words “a Great Marsh green

crab trapping program”.

The further amendments were adopted.

On the question on adoption of the amendments, as amended, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 329 in Supplement.]

Therefore the consolidated amendments (energy and environmental affairs) were adopted.

Messrs. Straus of Mattapoisett, Stanley of Waltham and Livingstone of Boston then moved to amend the bill by adding the following section:

“SECTION 50. The General Laws, as appearing in the 2016 Official Edition, are hereby amended by inserting after chapter 40W the following new chapter:—

Chapter 40X. Supplemental Infrastructure Financing for Transportation.

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Base date’, the last assessment date of the real property tax immediately preceding the creation of the SIFT district, or any other assessment date designated as the base date in a SIFT agreement.

‘Department’, the Massachusetts Department of Transportation.

‘Financial plan’, a statement of the costs and sources of revenue required to complete construction of the transportation project, which shall include: (1) cost estimates; (2) the projected amount of indebtedness to be incurred by the municipality, the department the Massachusetts Bay Transportation Authority, or a regional transit authority; and (3) any other sources of anticipated capital, including but not limited to any federal funding.

‘Original assessed value’, the aggregate assessed value of all properties within the SIFT district as of the base date.

‘Secretary’, the secretary of the Massachusetts Department of Transportation.

‘SIFT agreement’, an agreement for supplemental infrastructure financing for transportation entered into by the secretary and a municipality and approved by the municipality in accordance with section 2 authorizing a municipality to collect and remit tax increment revenue in accordance with this chapter.

‘SIFT district’, a specified area within the corporate limits of a municipality as set forth in the SIFT agreement.

‘Tax increment’, all annual increases in the municipality’s limit on total taxes assessed under section 21C(f) of chapter 59 that are attributable to parcels within the district for fiscal years with an assessment date later than the base date. The tax increment shall also include the part of increases in the limit on total taxes assessed allowed under subsection (f) of section 21C of chapter 59 that are attributable to such increases under said subsection in prior years that were part of the increment in such prior years. In any year in which the limit on total taxes assessed under section 21C is lower than the prior year’s limit on total taxes assessed, the tax increment shall be reduced in the same proportion as the limit on total taxes assessed.

‘Transportation project’, any construction project, or any component thereof, undertaken by the Massachusetts Bay Transportation Authority, a regional transit authority or department, including without limitation construction, reconstruction, repair or enhancement of ways or bridges, on-ramps or off-ramps, bikeways or multi-use paths, transit stations, passenger facilities, and rail projects and extensions.

Section 2. (a) The secretary and a municipality may enter into a SIFT agreement; provided, that no municipality may enter into or implement a SIFT

Consolidated amendments adopted,—
yea and nay
No. 329.

agreement unless and until the SIFT agreement has been approved by the municipality in accordance with this section. A SIFT agreement shall include without limitation: (1) a detailed description of the transportation project to be financed in whole or in part by the SIFT agreement, including a financial plan for such project; (2) the boundaries of the SIFT district, including a depiction of the SIFT district on a map of the municipality and a listing of the street addresses and lot numbers of all lots within the SIFT district; (3) estimates of the amount of tax increment revenue to be remitted during the term of the SIFT agreement; (4) the method of calculating the percentage of the tax increment to be remitted together with any provisions for adjustment of the method of calculation; (5) the board or officer of the city or town responsible for calculating the tax increment; (6) any tax increment pledged or otherwise subject to chapter 40Q or section 59 of chapter 40; (7) a statement of the estimated impact of tax increment financing on all taxing jurisdictions in which the SIFT district is located; (8) the term of years of the SIFT agreement; (9) the base date; (10) the date, if any, following which the SIFT agreement must be re-approved by the city or town in accordance with section 2 if a notice to proceed has not been issued by the department or authority with respect to the transportation project; (11) anticipated or known gifts, grants, or private contributions; and (12) the department or authority fund to which the tax increment revenue shall be remitted.

(b) Notwithstanding any general or special law or regulation to the contrary, not less than 30 days prior to any vote required under subsection (c), a municipality shall hold a public hearing regarding the SIFT agreement or amendment thereto and shall provide the public with an opportunity to submit written comments. The municipality shall create a written record of the public hearing, which shall include a description of the testimony offered by persons at such hearing. Not less than 14 days prior to the hearing: (1) public notice of the hearing shall be published in one or more local newspapers of general circulation and shall be posted in the municipality's main governmental building and on the municipality's web site; and (2) the SIFT agreement or amendment shall be made available by the municipality for inspection and copying.

(c) Notwithstanding any general or special law or regulation to the contrary, a municipality shall approve the SIFT agreement by vote of its town meeting, town council or city council, with the approval of the mayor where required by law; provided, that the term of years, any provision related to calculation of the tax increment, or the boundaries of a SIFT district may only be amended, following approval by the secretary, after meeting the requirements for adoption under this section.

Section 3. (a) Within 60 days following approval of a SIFT agreement in accordance with section 2, the assessor of the city or town shall certify the original assessed value of the taxable property within the boundaries of the SIFT district. Each year after the approval of a SIFT agreement the assessor of the municipality shall certify the amount by which the assessed value has increased or decreased from the original value.

(b) Following approval of a SIFT agreement in accordance with section 2, the municipality shall set aside and remit all tax increment revenues in accordance with the SIFT agreement.

Section 4. The department shall promulgate rules and regulations necessary to implement this chapter, including, without limitation, rules and regulations establishing criteria for evaluating eligible transportation projects.”

The amendment was adopted.

Mr. Nangle of Lowell then moved to amend the bill by inserting after section 32 the following section:

“SECTION 32A. The department of revenue shall develop regulations to establish minimum competency standards for compensated tax preparers. At least 10 days prior to promulgating said regulations, the department of revenue shall submit a report to clerk of the house of representatives, the clerk of the senate, the joint committee on revenue and the joint committee on consumer protection and professional licensure regarding their findings, including any and all feedback provided at public hearings and during the notice and comment period.”

The amendment was adopted.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 1410-0010 by adding the following: “; provided further, that not less than \$150,000 shall be allocated for Heidrea for Heroes; provided further, that not less than \$85,000 shall be expended for the NEADS Assistance Dogs for Veterans program to train assistance dogs for veterans; provided further, that not less than \$25,000 shall be expended for the Gaudette-Kirk Post 138 district 4 American Legion 100th anniversary celebration; and provided further, that not less than \$10,000 shall be expended for the Somerset Veterans Department for the implementation of veteran grave identification software”; and in said item by striking out the figures: “3,364,275” and inserting in place thereof the figures: “3,634,275”;

Consolidated amendments (social services, veterans and soldiers homes).

In item 1410-0012, in line 4, by striking out the word “and”, the second time it appears; and by adding the following: “; provided further, that the department shall make a payment equal to the amount appropriated for each outreach center funded by this item in fiscal year 2018; provided further, that each outreach center receiving funds under this item shall report to the chairs of the house and senate committees on ways and means not later than March 15, 2019 on: (a) the numbers of veterans served annually; (b) the cost and types of programs, including evidence based programs, offered to veterans; and (c) a 5-year spending plan or outline that shall include a discussion of the implementation or further development of evidence-based programs and program evaluation; provided further, that not less than \$200,000 shall be expended for Nathan Hale Outreach Centers; provided further, that not less than \$30,000 shall be expended for the Veterans Oral History project at the Morse Institute Library in Natick; provided further, that not less than \$20,000 shall be expended to the Cape & Islands Veterans Outreach Center for the purpose of the Grace Veterans Program; provided further, that not less than \$50,000 shall be expended for the Disabled American Veterans Department of Massachusetts; provided further, that not less than \$100,000 shall be expended for the Vietnam Veterans of America organization in Massachusetts; provided further, that not less than \$124,000 shall be expended for the operation of the Montachusett Veterans Outreach Center women’s housing program; provided further, that not less than \$500,000 shall be expended to Home Base, for education and training in veterans' mental and behavioral health issues, including suicide prevention and substance misuse and treatment; and provided further, that not less than \$100,000 shall be expended for the Springfield chapter of NABVET’s Veteran’s First Outreach Center to provide outreach services to veterans in Hampden county”; and in said item by striking out the figures: “3,100,000” and inserting in place thereof the figures: “4,224,000”;

In item 1410-0250 by adding the following: “; and provided further, that not less than \$30,000 shall be expended for transitional services at Our Neighbors’ Table in the city of Amesbury”; and in said item by striking out the figures:

“3,202,655” and inserting in place thereof the figures: “3,232,655”;

In item 1410-1616 by adding the following: “; provided further, that not less than \$10,000 shall be expended for the Korean War Memorial in Charlestown’s Navy Yard; provided further, that not less than \$50,000 shall be expended for the construction of a Veterans’ Memorial Parkway in the city known as the town of Franklin; provided further, that not less than \$20,000 shall be expended for the creation of a Vietnam War Veterans Memorial in the city of Beverly; and provided further, that not less than \$50,000 shall be expended for the Vietnam Wall that Heals project in the city of Fitchburg”; and in said item by striking out the figures: “150,000” and inserting in place thereof the figures: “280,000”;

In item 4400-1004 by striking out the figures: “3,500,000” and inserting in place thereof the figures: “4,000,000”;

In item 4401-1000, in line 10, by inserting after the word “program” the following: “; provided that not less than \$75,000 shall be expended for Ascentria Care Alliance”; and in said item by striking out the figures: “14,164,226” and inserting in place thereof the figures: “14,239,226”;

In item 4800-0038, in line 19, by striking out the word “and”; and by adding the following: “; provided further, that programs in substantial regulatory and contractual compliance shall receive not less than the same level of funding in fiscal year 2019 as received in fiscal year 2018; provided further, that not less than \$150,000 shall be expended for the Suffolk County Children’s Advocacy Center; provided further, that not less than \$50,000 shall be expended on the Weymouth Teen Center; provided further, that not less than \$50,000 shall be expended on the Children’s Cove Cape and Islands Child Advocacy Center; provided further, that not less than \$25,000 shall be expended for a Teen Center in Milton; provided further, that not less than \$200,000 shall be expended for the Italian Home for Children; provided further, that not less than \$50,000 shall be expended for Rick’s Place of Wilbraham; provided further, that not less than \$100,000 shall be expended for Treehouse Foundation of Easthampton for planning to expand the Intergenerational Treehouse Community model in the Boston MetroWest; provided further, that not less than \$25,000 shall be expended on the North Andover Youth Center; and provided further, that not less than \$50,000 shall be expended for New England Community Services’ Mentoring Emerging Youth Adults program”; and in said item by striking out the figures: “297,006,577” and inserting in place thereof the figures: “297,706,577”;

By inserting after section 19 the following section:

“SECTION 19A. The first paragraph of section 2 of chapter 118 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following sentence:— Notwithstanding chapter 5 of the acts of 1995 or any other general or special law to the contrary, aid shall be provided for each such child or children without regard to whether the child was conceived or born after the parent began receiving aid under this chapter.”;

By inserting after section 23 the following six sections:

“SECTION 23A. Subsection (a) of section 110 of chapter 5 of the acts of 1995, as amended by section 21 of chapter 158 of the acts of 2014, is hereby further amended by striking out the definition of ‘Child of record.’

SECTION 23B. Said section 110 of said chapter 5 of the acts of 1995 is hereby further amended by striking out subsection (c).

SECTION 23C. Clause (3) of subsection (e) of said section 110 of said chapter 5, as amended by section 25 of chapter 158 of the acts of 2014, is hereby further amended by striking out the words ‘recipients with a child of record under the age

of two years or any child other than the child of record who is under the age of three months' and inserting in place thereof the following words:— recipients with a child under the age of 2 years.

SECTION 23D. The first paragraph of subsection (j) of said section 110 of said chapter 5, as appearing in section 218 of chapter 149 of the acts of 2004, as amended by section 27 of chapter 158 of the acts of 2014, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The program shall require that the head of household in each such family, or both parents in a 2-parent family, shall participate in work-related activities for 20 hours each week if the youngest child in the family is between the age of 2 and the age at which full-time schooling is mandatory, and for 30 hours each week if the youngest child in the family is the age at which full-time schooling is mandatory or older.

SECTION 23E. Said subsection (j) of said section 110 of said chapter 5, as amended by section 528 of chapter 26 of the acts of 2003, is hereby further amended by striking out the last paragraph.

SECTION 23F. The second sentence of section 130 of said chapter 5 is hereby amended by striking out the words ‘; the ineligibility of children born after the child of record for assistance’.”;

By inserting after section 24 the following section:

“SECTION 24A. Section 21 of chapter 158 of the Acts of 2014 is hereby repealed.”; and

By inserting after section 45 the following section:

“SECTION 45A. Sections 19A, 23A, 23B, 23C, 23D, 23E, 23F, and 24A shall take effect on July 1, 2019.”.

After debate on the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 330 in Supplement.]

Therefore the consolidated amendments (social services, veterans and soldiers homes) were adopted.

The Speaker being in the Chair,—

Mr. Barrett of North Adams and other members of the House then moved to amend the bill by adding the following section:

“SECTION 51. The Mount Greylock Visitor Center, located at Mount Greylock State Reservation that is under the care and control of the department of conservation and recreation, shall be designated and known as the ‘Representative Gailanne M. Cariddi Visitor Center’ in recognition of Representative Gailanne M. Cariddi’s work in preserving the Mt. Greylock Reservation for the people of the Commonwealth of Massachusetts. The department of conservation and recreation shall erect and maintain a suitable marker bearing that designation in compliance with the standards of the department.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Barrett; and on the roll call (Mr. Donato of Medford in the Chair) 155 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 331 in Supplement.]

Therefore the amendment was adopted.

Consolidated amendments adopted,— yeas and nays No. 330.

Amendment adopted,— yeas and nays No. 331.

Report of a Committee.

Mr. Petrolati of Ludlow being in the Chair,—

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 petition of Edward F. Coppinger for legislation to establish a sick leave bank for Paula Donahue, an employee of the Department of Public Health. Under suspension of the rules, on motion of Mr. Galvin of Canton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Paula Donahue,—
sick leave.

Recess.

At two minutes after six o'clock P.M., on motion of Mr. Mariano of Quincy (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before seven o'clock; and at twenty-five minutes before eight o'clock P.M. the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended), was considered.

General Appropriation Bill.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 4000-0005, in line 15, by inserting after the year: "2018" the following: "; provided further, that not less than \$25,000 shall be expended to Springfield Partners, Inc. for the AWAKE program in Springfield, to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$75,000 be expended to the South End Community Center's Community Youth Corp Program; provided further, that not less than \$25,000 shall be expended for the Merrimack Valley Public Safety Youth Center in the city of Lawrence"; and in said item by striking out the figures: "8,000,000" and inserting in place thereof the figures: "8,125,000";

Consolidated amendments (health and human services and elder affairs).

In item 4000-0300, in line 111, by inserting after the word "month" the following: "; provided further, that not less than \$250,000 shall be expended for the Brookline Community Mental Health Center to expand the Healthy Lives program; provided further, that not less than \$250,000 shall be provided for the purposes defined in item 1599-2009 in section 2 of chapter 182 of the acts of 2008"; and in said item by striking out the figures: "103,377,269" and inserting in place thereof the figures: "103,877,269";

In item 4000-0601, in line 8, by inserting after the word "finance" the following: "; provided further, that MassHealth shall reimburse nursing facilities for up to 20 medical leave-of-absence days and up to 10 nonmedical leave-of-absence days; provided further, that medical leave-of-absence days shall include an observation stay in a hospital in excess of 24 hours; provided further, that no nursing home may reassign a patient's bed during a leave of absence that is eligible for reimbursement under this item; provided further, that notwithstanding any

general or special law to the contrary the executive office of health and human services shall establish payment rates for adult day health programs that are, in the aggregate, not less than \$2,000,000 more than was paid for such programs in fiscal year 2018; provided further, that notwithstanding any general or special law to the contrary the executive office of health and human services shall establish payment rates for the adult foster care program that are, in the aggregate, not less than \$2,000,000 more than was paid for such programs in fiscal year 2018”; and in said item by striking out the figures: “3,583,516,725” and inserting in place thereof the figures: “3,587,516,725”;

In item 4000-0641, in line 4, by striking out the figures: “324,600,000” and inserting in place thereof the figures: “327,100,000”, in line 6 by striking out the figures: “35,500,000” and inserting in place thereof the figures: “38,300,000”; and in lines 22 to 30, inclusive, by striking out the words “; provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members and that shall decide jointly how to expend such incentive payments”; and in said item by striking out the figures: “362,900,000” and inserting in place thereof the figures: “365,400,000”;

In item 4000-0700, in line 14, by inserting after the word “level” the following: “; provided further, that not less than \$1,000,000 shall be made available to increase efficiencies and align system-wide goals within a regional hospital system located in Western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver”; and in said item by striking out the figures: “2,640,228,033” and inserting in place thereof the figures: “2,641,228,033”;

In item 4003-0122, in line 15, by inserting after the word “services” the following: “; provided further, that not less than \$50,000 shall be allocated to the Lawrence Family Development and Education fund to assist in citizenship education, citizenship application assistance, ESL classes and computer training for low-income adults; provided further, that not less than \$50,000 shall be expended for Casa Dominicana in Lawrence to assist in citizenship education, citizen application assistance, ESL classes, and computer training for low-income adults”; and in said item by striking out the figures: “400,001” and inserting in place thereof the figures: “500,001”;

In item 4110-1000 by adding the following: “; and provided further, that not less than \$40,000 shall be expended for the Lowell Association for the Blind for transportation provision expenses”; and in said item by striking out the figures: “4,221,386” and inserting in place thereof the figures: “4,261,386”;

In item 4125-0100 by adding the following: “; provided further, that not less than \$100,000 shall be expended for the Willie Ross School for the Deaf, Inc. in the town of Longmeadow”; and in said item by striking out the figures: “5,732,684” and inserting in place thereof the figures: “5,832,684”;

In item 9110-1630, in line 20, by inserting after the word “caregivers” the following: “; provided further, that not less than \$35,000 shall be expended for a 1 year pilot program for the demonstration of the community network aging in place in Brookline, Nauset, and Reading”; and in said item by striking out the figures: “175,019,124” and inserting in place thereof the figures: “175,054,124”;

In item 9110-1660 by adding the following: “; provided, that not less than

UNCORRECTED PROOF.

\$642,000 shall be expended for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements in fiscal year 2018, at proportions of total available funding equal to those provided in fiscal year 2018”; and in said item by striking out the figures: “1,421,482” and inserting in place thereof the figures: “2,063,482”;

By striking out item 9110-1700 and inserting in place thereof the following item:

“9110-1700 For assessment, placement and homelessness prevention services for homeless and at-risk elders.....\$286,000”;

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 be spent on the Meals on Wheels program”; and in said item by striking out the figures: “6,518,675” and inserting in place thereof the figures: “7,268,675”;

In item 9110-9002, in line 7, by inserting after the word “per-elder” the following: “; provided further that not less than \$90,000 shall be provided for the town of Needham for senior transportation; provided further, that not less than \$75,000 shall be expended for the Hadley Senior Center; provided further, that not less than \$75,000 shall be expended for the South Hadley Senior Center; provided further that not less than \$75,000 shall be expended for the cost associated with care and services provided at Whipple Senior Center in the town of Weymouth; provided further, that not less than \$50,000 shall be expended to Claire Teague Senior Center in Great Barrington; provided further, that not less than \$50,000 shall be expended to the town of Swansea for design plans to implement a new heating, ventilation, and air conditioning (HVAC) system at its Council on Aging Community Center; provided further, that not less than \$50,000 shall be expended to the town of Millis for the purchase of a vehicle to provide transportation for seniors in the community; provided further, that not less than \$50,000 shall be expended to the town of Longmeadow for transportation costs at the Longmeadow Adult Center; provided further, that not less than \$50,000, shall be expended for the senior center renovation and expansion in the town of Mendon; provided further, that \$25,000 shall be granted to the city of Quincy’s Department of Elder Affairs; provided further that not less than \$25,000 shall be expended for the Taunton Council on Aging for the purpose of funding the Dementia Friendly Massachusetts program in the city of Taunton; provided further, that not less than \$25,000 shall be allocated for the operation of the South Boston Neighborhood House and its Senior Programs; provided further, that not less than \$25,000 shall be expended for the design of an expansion to the Bellingham Senior Center; provided further, that not less than \$25,000 shall be expended for the improvements and expansion of the Uxbridge Senior Center; provided further, that not less than \$21,000 shall be expended to improve the health and safety of senior citizens in Medway; provided further, that not less than \$20,000 shall be expended to the town of Rehoboth for repairs and upgrades at its Senior Center; provided further, that not less than \$20,000 shall be expended to the town of Seekonk for a new generator at its Council on Aging; provided further, that not less than \$15,000 shall be expended to the town of Burlington for improvement of the Burlington Council on Aging facility; provided further, that \$25,000 shall be granted to the town of Randolph’s Department of Elder Affairs”; and in said item by striking out the figures: “16,515,125” and inserting in place thereof the figures: “17,306,125”;

By inserting after section 11 the following section:

“SECTION 11A. Chapter 19A of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 42 the following

section:—

Section 43. The department shall develop a curriculum and training program on the prevention and elimination of discrimination based on sexual orientation, gender identity and expression and on improving access to services for lesbian, gay, bisexual and transgender elders and caregivers. The training program shall be completed by all providers of services who contract with or receive funding from the department, Aging Service Access Points or the MassHealth Office of Long Term Care, or whose services are certified by the department. Within 12 months of commencing employment, providers shall complete the training program.”;

By inserting after section 23F (as inserted by amendment) the following section:

“SECTION 23G. Chapter 305 of the acts of 2008 is hereby amended by striking out section 33 and inserting in place thereof the following section:—

Section 33. (a) Notwithstanding any general or special law to the contrary, there shall be established and set up on the books of the commonwealth a separate fund to be known as the Massachusetts Nursing and Allied Health Workforce Development Trust Fund to which shall be credited any appropriations, bond proceeds or other monies authorized by the general court and specifically designated to be credited thereto, and additional funds, including federal grants or loans or private donations made available to the secretary of health and human services for this purpose. The executive office of health and human services shall hold the fund in an account separate and apart from other funds or accounts. Amounts credited to the fund shall be expended by the secretary of health and human services to carry out subsection (b). Any balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

(b) The fund shall be used to develop and support short-term and long-term strategies to increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health. The secretary of health and human services may expend such funds as necessary for the administration of the Massachusetts Nursing and Allied Health Workforce Development Initiative. In furtherance of these public purposes, the secretary of health and human services shall expend funds in the Massachusetts Nursing and Allied Health Workforce Development Trust Fund for activities that are calculated to increase the number and diversity of nursing and allied health faculty and students and improve the nursing and allied health educational offerings available in public higher education institutions. Grants and other disbursements and activities may involve, without limitation, organizations that provide health care services, state and community colleges, higher education institutions, business and industry partnerships, regional alliances, workforce investment boards, organizations granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code, and other community groups which support and promote the nursing profession and the health of people living in the commonwealth of Massachusetts. Grants and other disbursements and activities may support, without limitation: (i) the goal of rapidly increasing the number of nurses and allied health workers; (ii) enhancing the role of the system of public and private higher education, as institutions and in partnerships with other stakeholders, in meeting the short-term and long-term workforce challenges in the nursing and allied health professions; (iii) the development and use of innovative curricula, courses, programs and modes of delivering education in nursing and allied health professions for faculty and students in these fields; (iv) activities with the growing network of stakeholders in

the nursing and allied health professions to create, implement, share and make broadly and publicly available best practices and innovative programs relative to instruction, development of partnerships and expanding and maintaining faculty and student involvement in careers in these fields; and (v) strengthening the institutional capacity to develop and implement long-term programs and policies to effectively respond to these challenges.”; and

By inserting after section 45A (as inserted by amendment) the following section:

“SECTION 45B. The training curriculum established pursuant to section 11A shall be completed within 9 months after the effective date of this act.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call (Mrs. Haddad of Somerset in the Chair) 154 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 332 in Supplement.]

Therefore the consolidated amendments (health and human services and elder affairs) were adopted.

Consolidated amendments adopted,—yea and nay No. 332.

Recess.

At twenty minutes after eight o'clock P.M. (Tuesday, April 24, 2018), the Chair (Mrs. Haddad of Somerset) declared a recess until the following day at ten o'clock A.M.; and at that time, the House was called to order with Ms. Peake of Provincetown in the Chair.

Recess.

Wednesday, April 25, 2018 (at 10:00 o'clock A.M.).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Creation, we give You thanks for the abundance of flora and fauna that grace our Massachusetts fields and wetlands, our mountains and hills, our coastlines and bodies of water.

Prayer.

In this time of Spring awakening we are grateful for the signs of life around us from the presence of the feeding right whales to the small crocus opening itself to Your warming rays of light.

Today we celebrate our state tree *Ulmus Americana*.

We have enjoyed the role that the American Elm has played in the history of the Commonwealth and the nation. The Liberty Tree, a rallying point for growing resistance to the rule of England was situated nearby, not far from the Boston Common. The Washington Elm is said to have been the landmark where George Washington took command of the Continental Army in Cambridge on July 3, 1775. Each American Elm is said to produce almost ten million seeds in the Springtime.

We therefore pray today for those who suffer from the seasonal abundance of pollen, including yours truly.

May we remember to be grateful for these forms of growing pains.

May God bless our Commonwealth.

At the request of the Chair (Ms. Peake), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

Resolutions (filed with the Clerk by Ms. Balser of Newton and other members of the House) commemorating the seventieth anniversary of the founding of the State of Israel, were referred under Rule 85, to the committee on Rules.

Israel,—
founding.

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

Petition.

Representative Walsh of Peabody and Senator Lovely presented a joint petition (accompanied by bill, House, No. 4447) of Thomas P. Walsh, Joan B. Lovely and Theodore C. Speliotis (with the approval of the mayor and city council) that the city of Peabody be authorized to increase the annual compensation for the commissioners of the Peabody Municipal Light Plant; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Peabody,—
municipal
light plant.

Papers from the Senate.

The following order (having been approved by the committees on Rules of the two branches, acting concurrently), came from the Senate with the endorsement that

it had been adopted by said branch:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until May 2, 2018, within which time to make its final report on current Senate documents numbered 1988, 1992, and 2301, relative to matters before the Joint Committee on the Judiciary.

Under suspension of the rules, on motion of Ms. Cronin of Easton, the order (Senate, No. 2437), was considered forthwith; and it was adopted, in concurrence.

Judiciary committee,—
extension of time for reporting.

The following order (having been approved by the committees on Rules of the two branches, acting concurrently), came from the Senate with the endorsement that it had been adopted by said branch:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until April 26, 2018, within which time to make its final report on current Senate documents numbered 1831, 1841, and 1876, relative to Renewable Energy.

Under suspension of the rules, on motion of Mr. Golden of Lowell, the order (Senate, No. 2438), was considered forthwith; and it was adopted, in concurrence.

Telecommunications, Utilities and Energy committee,—
extension of time for reporting.

Report of a Committee.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill relative to Lottery compliance investigations (House, No. 4329), be scheduled for consideration by the House.

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

Lottery,—
compliance investigations.

Emergency Measures.

The engrossed Bill designating a certain bridge in the town of Hudson as the Private First Class Kenneth M. Thibault memorial bridge (see House, No. 4023), 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.

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.

Hudson,—
Thibault bridge.

The engrossed Bill designating certain bridges in the city known as the town of Barnstable as the first responders appreciation overpasses (see House, No. 4152), 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.

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.

Barnstable,—
overpasses.

Orders of the Day.

The House Bill establishing a sick leave bank for Sonia Morales, employee of the Department of Youth Services (House, No. 4404), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of

Sonia Morales,—
sick leave.

UNCORRECTED PROOF

Danvers moved to amend it in line 5 by striking out the word “court” and inserting in place thereof the word “department”; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of youth services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 4404, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Daisy F. Bolden, an employee of the Teachers’ Retirement Board (House, No. 4409) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Hunt of Boston.

Daisy
Bolden,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4448), which was read.

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

At seventeen minutes after ten o’clock A.M., on motion of Mr. Wong of Saugus (Ms. Peake of Provincetown being in the Chair), the House recessed until eleven o’clock A.M.; and at twenty-two minutes after twelve o’clock noon, the House was called to order with Mr. Donato of Medford in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Barrows of Mansfield, until a quarter after two o’clock P.M., and at three minutes before three o’clock, the House was called to order with Mr. Donato in the Chair.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended), was considered.

General
Appropriation
Bill.

Pending the question on passing the bill, as amended, to be engrossed, Messrs. Lyons of Andover and Kuros of Uxbridge moved to amend it by adding the following section:

“SECTION 52. Chapter 276 of the General Laws is hereby amended by inserting after section 28 the following new section:—

Section 28A. Any law enforcement officer shall have authority, with or without warrant, to enforce the criminal laws of the United States, including those enumerated in Title 8 of the United States Code, provided that there is probable cause to believe that a violation of the law has occurred. Such probable cause may be based on the personal observations and belief of the officer, or may be based on information provided by reliable sources, including other federal, state or local law enforcement officers.

Any law enforcement officer shall additionally have the authority to arrest and detain a person, without having a warrant for such arrest in his possession, if the officer making such arrest and detention, or the agency or department in which the officer serves, possesses an Immigration Detainer lawfully issued by the United States Department of Homeland Security whereby said federal agency has indicated

that it has determined that probable cause exists that that person is a removable alien. Any detention under this section shall not exceed 48 hours beyond the time that the person would otherwise be released from custody or admitted to bail. Said person must be served with a copy of the Immigration Detainer for such arrest and detention to be lawful.”.

Pending the question on adoption of the amendment, Mr. Lyons asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 149 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 333.

[See Yea and Nay No. 333 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 10 members voted in the affirmative and 145 in the negative.

Amendment
rejected,—
yea and nay
No. 334.

[See Yea and Nay No. 334 in Supplement.]

Therefore the amendment was rejected.

Mrs. Haddad of Somerset being in the Chair,—

Representative Diehl of Whitman and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 52. Chapter 276 of the General Laws is hereby amended by inserting after section 20R the following section:

Section 20S. Any employee of the commonwealth, or a public instrumentality or political subdivision thereof, who holds police powers or the powers of a sheriff or deputy sheriff, including but not limited to municipal police officers, court officers and state troopers, and who has lawful custody of a person may, upon receipt of: (1) a written request from United States Immigration and Customs Enforcement requesting detention of such person on the grounds that there is probable cause that such person is a removable alien and (2) an administrative warrant for arrest or warrant of removal or deportation, detain such person for a reasonable period of time after such person would otherwise be released from custody to transfer custody of such person to United States Immigration and Customs Enforcement.

SECTION 53. Notwithstanding any general or special law to the contrary, no city or town that: (i) fails to comply with a written request to detain a person on the grounds that such person is a removable alien from United States Immigration and Customs Enforcement as described in section 20S of chapter 276 of the General Laws; or (ii) makes a declaration of ‘sanctuary city’ status by the chief executive officer or legislative body of the city or town shall receive unrestricted local aid pursuant to section 3 or any subsequent appropriations act by the general court. The inspector general shall investigate and certify violations of a city or town to comply with this section, in writing, to the comptroller. Upon receipt of a certification of the inspector general that a violation has occurred, the comptroller shall make no payment of unrestricted local aid to the city or town.”.

After remarks on the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 54. Notwithstanding any general or special law to the contrary, the provisions of sections 52 and 53 shall not take effect until such time as the executive office of public safety has furnished a study of the legislation’s impact on the public

safety of the commonwealth and its municipalities, including, but not limited to, the current practice of other states, anticipated changes in crime levels and other ancillary activity to the joint committee on public safety, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

The further amendment was adopted.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Diehl of Whitman; and on the roll call 136 members voted in the affirmative and 19 in the negative.

Amendment adopted,—yea and nay No. 335.

[See Yea and Nay No. 335 in Supplement.]

Therefore the amendment offered by Mr. Diehl, et al, as amended, then was adopted.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 0321-1600 by striking out the figures: “20,000,000” and inserting in place thereof the figures: “20,750,000”;

Consolidated amendments (public safety and judiciary).

By inserting after item 0330-0344 the following item:

“0330-0441 For permanency mediation services in the probate and juvenile courts.....\$250,000”;

In item 0337-0002 by adding the following: “; provided, that not less than \$50,000 shall be expended for a grant to One Can Help, Inc.; provided further, that not less than \$112,000 shall be expended on the Franklin and Hampshire county court-appointed special advocates program; provided further, that not less than \$200,000 shall be expended on the Worcester county court-appointed special advocates program; provided further, that not less than \$175,989 shall be expended on the Hampden county court-appointed special advocates program; provided further, that not less than \$125,000 shall be expended on the Essex county court-appointed special advocates program; provided further, that not less than \$150,000 shall be expended on the Boston court-appointed special advocates program; and provided further, that not less than \$53,995 shall be expended on the Berkshire county court-appointed special advocates program”; and in said item by striking out the figures: “18,508,605” and inserting in place thereof the figures: “19,375,589”;

In item 0340-0100 by striking out the figures: “20,195,706” and inserting in place thereof the figures: “20,599,620”;

In item 0340-0200 by striking out the figures: “16,626,043” and inserting in place thereof the figures: “16,958,564”;

In item 0340-0300 by striking out the figures: “10,134,358” and inserting in place thereof the figures: “10,337,045”;

In item 0340-0400 by striking out the figures: “11,115,788” and inserting in place thereof the figures: “11,338,104”;

In item 0340-0500 by striking out the figures: “10,336,661” and inserting in place thereof the figures: “10,543,394”;

In item 0340-0600 by striking out the figures: “6,356,861” and inserting in place thereof the figures: “6,438,998”;

In item 0340-0700 by striking out the figures: “9,983,547” and inserting in place thereof the figures: “10,183,218”;

In item 0340-0800 by striking out the figures: “9,036,858” and inserting in place thereof the figures: “9,217,595”;

In item 0340-0900 by striking out the figures: “8,955,919” and inserting in place thereof the figures: “9,135,037”;

In item 0340-1000 by striking out the figures: “4,610,058” and inserting in place thereof the figures: “4,702,259”;

UNCORRECTED PROOF

In item 0340-1100 by striking out the figures: “4,260,512” and inserting in place thereof the figures: “4,345,722”;

By inserting after item 8000-0202 the following item:

“8000-0313 For local public safety projects and grant programs; provided , that not less than \$90,000 shall be expended for public safety equipment in Fall River; provided further, that not less than \$60,000 shall be expended for community mediation services to Dispute Resolution Services, Inc. in Springfield; provided further, that not less than \$200,000 shall be expended for a police station in Beverly; provided further, that not less than \$25,000 shall be expended for the Hub and COR programs at the police department in Springfield; provided further, that not less than \$50,000 shall be expended for public safety improvements in Watertown; provided further, that not less than \$50,000 shall be expended for public safety improvements in Wakefield; provided further, that not less than \$50,000 shall be expended for public safety improvements in the Dracut public school district; provided further , that not less than \$50,000 shall be expended for public safety improvements in the Tyngsborough public school district; provided further, that not less than \$20,000 shall be expended for public safety improvements in Hopedale; provided further, that not less than \$30,000 shall be expended for Route 6 improvements in Wellfleet, Truro, and Provincetown; provided further, that not less than \$200,000 shall be expended for public safety improvements in Needham; provided further, that not less than \$40,000 shall be expended for public safety equipment for the police department in Lynn; provided further, that not less than \$30,000 shall be expended for emergency operations management in Dover; provided further, that not less than \$25,000 shall be expended for public safety improvements in Grafton; provided further, that not less than \$25,000 shall be expended for public safety improvements in Northbridge; provided further, that not less than \$25,000 shall be expended for public safety improvements in Upton; provided further, that not less than \$10,000 shall be expended for public safety improvements in Auburn; provided further, that not less than \$150,000 shall be expended for public safety improvements in Braintree; provided further, that not less than \$150,000 shall be expended for a Mobile Command Center in Dartmouth; provided further, that not less than \$40,000 shall be expended for school zone safety improvements in Holliston; provided further, that not less than \$25,000 shall be expended for public safety improvements for the police department in North Brookfield; provided further, that not less than \$100,000 shall be allocated to the Bristol County Police Chiefs for municipal in-service training and specialized training for veteran police officers in Bristol County; provided further that not less than \$20,000 shall be expended for a new generator for the town hall building in the town of Norton; provided further, that not less than \$20,000 shall be expended to the Black Men of Greater Springfield, Inc. to implement the W.E.B DuBois Academy

UNCORRECTED PROOF

Saturday School, W.E.B DuBois Academy Summer Camping Program, and the unity grants program in Springfield; and provided further that, notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation;\$1,485,000”;

In item 8100-0111 by striking out the figures: “6,000,000” and inserting in place thereof the figures: “7,000,000”;

In item 8100-1001, in line 17, by inserting after the word “abuse” the following: “; provided further, that not less than \$1,030,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that not less than \$30,000 shall be expended for Troop A to conduct mounted, directed patrols throughout Revere Beach, the Lynn Fells and the Middlesex Fells Reservation Park among other identified areas; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2019; provided further, that funds shall be expended for directed patrols at Constitution Beach in East Boston; provided further, that not less than \$95,000 shall be expended for additional patrols for the summer season at Wollaston Beach and Furnace Brook Parkway in Quincy”;

and in said item by striking out the figures: “281,420,645” and inserting in place thereof the figures: “282,450,645”;

In item 8200-0200 by adding the following: “; provided further, that no less than \$50,000 be provided for the training academy in Boylston; and provided further, that not less than \$30,000 shall be expended for the Holyoke Safe Neighbor Initiative at the Hampden County Sheriff’s department”;

and in said item by striking out the figures: “4,775,808” and inserting in place thereof the figures: “4,855,808”;

In item 8324-0000, in line 8, by inserting after the word “option” the following: “; provided further, that not less than \$1,200,000 shall be allocated by the department for the Student Awareness of Fire Education program; provided further, that \$100,000 shall be allocated by the department for critical incident stress management; provided further, that not less than \$100,000 shall be allocated to the On-Site Academy to provide training and treatment programs for correction officers from the department of correction for critical incident stress management; provided further, that the amount allocated for the Norfolk County Regional Fire and Rescue Dispatch Center in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2018; provided further, that not less than \$500,000 shall be expended to the hazardous materials response team in the cities of Cambridge, Everett and Boston; provided further, that not less than \$50,000 shall be expended for a fire safety grant in the city of Attleboro; provided further, that not less than \$100,000 shall be expended for emergency radio communications upgrades for the Fire Chiefs' Association of Bristol County; provided further, that not less than \$50,000 shall be provided for the hazardous materials response team at the fire department in Quincy; provided further, that not less than \$22,000 shall be expended for fire department upgrades in Medway; provided further, that not less than \$24,000 shall be expended for protective gear for EMS responders in Wellesley; provided further, that not less than \$100,000 shall be expended for fire safety equipment in Worcester; provided further the Boston Fire Department Training Academy shall also be allocated an additional \$500,000 in addition to any amounts in this item”;

and in said item by striking out the figures: “20,304,522” and inserting in place thereof the figures: “23,150,522”;

In item 8700-0001, in line 9, by inserting after the word “services” the following: “; provided further, that not less than \$50,000 shall be expended for the

Massachusetts Veterans Oral History Project to be conducted by Home of the Brave, Inc., in conjunction with the Massachusetts National Guard Museum and Archives”; and in said item by striking out the figures: “10,084,164” and inserting in place thereof the figures: “10,134,164”;

In item 8900-0001, in line 7, by inserting after the word “department” the following: “; provided further, that not less than \$100,000 shall be expended for the Dismas House in Worcester; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of correction facilities; provided further, that of said \$2,200,000 no municipality hosting a department of correction facility shall receive more than \$800,000; provided further, that of said \$2,200,000, no municipality hosting a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011”; and in said item by striking out the figures: “630,072,710” and inserting in place thereof the figures: “632,372,710”;

In item 8900-1100, in line 6, by inserting after the word “correction” the following: “; provided further, that not less than \$80,000 shall be expended for the department of correction to cover costs associated with coordinating and supporting partnerships with higher education institutions that provide post-secondary education programs in state prisons”; and in said item by striking out the figures: “500,000” and inserting in place thereof the figures: “580,000”;

In item 8910-0108 by adding the following: “; provided, that not less than \$200,000 shall be expended for opioid related education and training”; and in said item by striking out the figures: “16,073,632” and inserting in place thereof the figures: “16,273,632”;

In item 8910-0145 by adding the following: “; provided, that not less than \$100,000 shall be expended for the Berkshire county opioid education and awareness task force”; and in said item by striking out the figures: “17,991,414” and inserting in place thereof the figures: “18,091,414”;

In item 8950-0001 by striking out the figures: “16,236,075” and inserting in place thereof the figures: “16,477,089”;

In section 31, in line 269, by inserting after the word “security;” the following: “1 member appointed by the minority leader of the house of representatives; and 1 member appointed by the minority leader of the senate”;

By inserting after section 32A (as inserted by amendment) the following two sections:

“SECTION 32B. The executive office of public safety and security in conjunction with the Massachusetts Chiefs of Police Association and the Municipal Police Training Committee, shall study the current and projected municipal police training demands across the commonwealth and the number, size and location of facilities needed to adequately provide recruit, specialized, veteran, reserve and in-service training programs currently conducted by the Municipal Police Training Committee.

Said study shall: (i) examine the number of current recruits and officers trained and the agencies that employ said officers; (ii) investigate the efficacy of utilizing facilities with dormitory rooms for recruit and veteran officer training venues; (iii) identify the location, size and availability of existing training facilities; (iv) explore the feasibility of co-locating the Municipal Police Training Committee training with other agencies at existing and future facilities; (v) investigate the need for shared specialized facilities; and (vi) identify the training needs of agencies across the commonwealth likely to utilize Municipal Police Training Committee training sites.

The executive office of public safety and security shall report its findings and

any recommendations to the house and senate committees on ways and means and the joint committee on public safety not later than December 31, 2018.

SECTION 32C. The court administrator of the executive office of the trial court shall submit a report no later than December 31, 2018 to clerk of the house of representatives, the clerk of the senate and the joint committee on the judiciary outlining the plan and projected timeframe for relocating the Cambridge District Court from the city of Medford to the city of Cambridge.”.

After debate on the question on adoption the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 336 in Supplement.]

[Messrs. Galvin of Canton and Petrolati of Ludlow answered “Present” in response to their names.]

Therefore the consolidated amendments (public safety and judiciary) were adopted.

Mr. Sánchez of Boston and others members of the House then moved to amend the bill in section 2, in item 4110-1000, in line 5, by inserting after the word “network” the following: “; provided further, that not less than \$250,000 shall be expended on the talking information center, the Audible Local Ledger, the Audio Journal, the Berkshire Talking Chronicle, the Lowell Association of the Blind, and Radio Valley Eye”; and in said item by striking out the figures: “4,261,386” (inserted by amendment), and inserting in the place thereof the following figures: “4,511,386”;

In item 4120-0200 by striking out the figures: “6,046,117” and inserting in place thereof the figures: “6,296,117”;

In item 4120-4000 by adding the following words: “; provided, that not less than \$100,000 shall be expended on accessibility improvements in Waltham”; and in said item by striking out the figures: “9,678,839” and inserting in place thereof the figures: “9,778,839”;

In item 5042-5000, in line 14, by inserting after the word “care” the following: “; provided further, that not less than \$75,000 shall be expended on YouthConnect to provide community-based mental health services to high-risk youth and their families residing in the East Boston community; provided further, that not less than \$100,000 shall be expended on the Alliance for Inclusion and Prevention’s training and workforce development; provided further, that not less than \$50,000 shall be expended on the Shrewsbury Youth and Family Services, Inc.; provided further, that not less than \$90,000 shall be expended on the juvenile firesetter intervention and prevention program in Hampshire and Franklin Counties, the town of Athol, and the city of Holyoke”; and in said item by striking out the figures: “90,310,078” and inserting in place thereof the figures: “90,625,078”;

In item 5046-0000, in line 12, by inserting after the word “sources” the following: “; provided further, that not less than \$250,000 shall be expended on the expansion of low threshold, safe haven housing for mentally ill men and women who have been chronically homeless and are currently living in emergency shelter or on the streets in Boston; provided further, that not less than \$150,000 shall be expended on the International Institute of New England for culturally and linguistically appropriate mental health services for immigrants and refugees who have experienced torture and trauma”; and in said item by striking out the figures: “486,718,033” and inserting in place thereof the figures: “487,118,033”;

In item 5920-2025 by adding the following: “; provided further, that not less than \$75,000 shall be expended to the town of Natick to support Camp Arrowhead

Consolidated amendments adopted,— yea and nay No. 336.

Consolidated amendments (housing, mental health and disability services).

UNCORRECTED PROOF

to provide recreational programs for individuals with disabilities; and provided further, that not less than \$25,000 shall be expended on the Opportunity Works for the Project SEARCH program”; and in said item by striking out the figures “210,604,791” and inserting in place thereof the figures: “210,704,791”;

In item 7004-0101, in line 149, by inserting after the word “beds” the following: “; provided further, that not less than \$150,000 shall be expended on the Portal to Hope; provided further, that not less than \$150,000 shall be expended on Horizons for Homeless Children”; and in said item by striking out the figures: “148,607,614” and inserting in place thereof the figures: “148,907,614”;

In item 7004-0102, in line 9, by inserting after the word “system” the following: “; provided further, that not less than \$125,000 shall be expended on the United Way of Pioneer Valley; provided further, that not less than \$40,000 shall be expended on the Quinsigamond Community Village Center; provided further, that not less than \$70,000 shall be expended on the Friendly House in Worcester; provided further, that not less than \$65,000 shall be expended on Emmaus, Inc. of Haverhill; provided further, that not less than \$50,000 shall be expended on Craig’s Doors in Amherst”; and in said item by striking out the figures: “45,180,000” and inserting in place thereof the following figures: “45,530,000”;

In item 7004-0104 by striking out the figures: “2,240,000” and inserting in place thereof the figures: “2,340,000”;

By inserting after item 7004-0104 the following two items:

“7004-0106 For the continued implementation and evaluation of the homeless family preference in private multi-family housing program established by New Lease for Homeless Families, Inc..... \$250,000

7004-0107 For the administration of local housing programs; provided, that not less than \$125,000 shall be expended on the Morningstar Residences in Pittsfield; provided further, that not less than \$250,000 shall be expended on the Community Action Programs Inter- City, Inc.; provided further, that not less than \$25,000 shall be expended on the Caribbean Integration Community Development organization; provided further, that not less than \$30,000 shall be expended on the Pembroke Housing Authority; provided further, that not less than \$50,000 shall be expended on the South Worcester Neighborhood Improvement; Corporation; provided further, that not less than \$25,000 shall be expended on the Lunenburg Eagle House Senior Community Center: provided further, that not less than \$100,000 shall be expended on the Homeless Prevention Council of Lower Cape Cod; provided further, that not less than \$100,000 shall be expended on the Community Development Partnership of Cape Cod; provided further, that not less than \$50,000 shall be expended on the Commonwealth Housing Development in Brighton; provided further, that not less than \$50,000 shall be expended on Housing Families, Inc. in the city of Malden for the GREAT Youth and Families Program;; provided further, that not less than \$50,000 shall be expended on the Pleasant Street Neighborhood Network Center in Worcester; and provided further, that not less than \$75,000 shall be expended on the World is Our Classroom, Inc.....\$930,000”;

In item 7004-3036, in line 14, by inserting after the word “trends” the

UNCORRECTED PROOF

following: “; provided further, that not less than \$25,000 shall be expended on the Springfield Neighborhood Housing Services, Inc.”; and in said item by striking out the figures: “2,841,992” and inserting in place thereof the figures: “2,866,992”;

In item 7004-3045 by striking out the figures: “500,000” and inserting in place thereof the figures: “750,000”;

In item 7004-9005, in line 25, by inserting after the word “repairs” the following: “; provided further, that not less than \$50,000 shall be expended on the Winchester Housing Authority; provided further, that not less than \$100,000 shall be expended on the Pleasant Street Elderly Public Housing Development”; and in said item by striking out the figures: “65,500,000” and inserting in place thereof the figures: “65,650,000”; and

In item 7004-9007 by striking out the figures: “950,000” and inserting in place thereof the figures: “1,000,000”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 337 in Supplement.]

Therefore the consolidated amendments (housing, mental health and disability services) were adopted.

Mr. Galvin of Canton then moved to amend the bill by adding the following section:

“SECTION 55. Notwithstanding any general or special law to the contrary, funds borrowed by the commonwealth may be expended to reimburse municipal debt incurred to create the capital asset to be wholly owned by the commonwealth, as authorized by section 58 of chapter 239 of the acts of 2012, as amended; provided that funds shall not be expended for this purpose until funds are expended for the department of conservation and recreation’s Metropolis ice rink in the town of Canton.”.

The amendment was adopted.

Recess.

At six o’clock P.M., on motion of Mr. Rushing of Boston (Mrs. Haddad of Somerset being in the Chair), the House recessed until seven o’clock P.M.; and at nine minutes after seven o’clock, the House was called to order with Mrs. Haddad in the Chair.

Order.

The following order (filed by Ms. Garlick of Needham) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Mental Health, Substance Use and Recovery be granted until Friday, May 4, 2018 within which time to make its final report on current House document numbered 4337.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4446), ought to be adopted. Under suspension of the rules, on motion of Ms. Garlick of Needham, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Amendments adopted,—
yea and nay
No. 337.

Recess.

Mental Health,
Substance Use
and Recovery
committee,—
extension
of time for
reporting.

Orders of the Day.

The House Bill establishing a sick leave bank for Heidi Souza, an employee of the Department of Correction (House, No. 4372), reported by the committee Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Heidi Souza,—
sick leave.

Mr. Petrolati of Ludlow being in the Chair,—

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended), was considered.

General
Appropriation
Bill.

Mr. Vieira of Falmouth and other members of the House moved to amend the bill by adding the following section:—

“SECTION 56. Chapter 127 of the General Laws is hereby amended by inserting in section 22 the following:— “Notwithstanding any general or special law to the contrary, persons committed on charge of crime may participate in residential treatment or other rehabilitative programs with persons serving a criminal sentence, provided that such persons committed on charge of crime shall not be housed in the same cell with persons serving a criminal sentence. The commissioner of correction, or for a county facility, the sheriff, shall adopt policies and procedures as to the management of said participation consistent with public safety and the security and operational needs of the facility.”.

After remarks the amendment was adopted.

The Chair (Mr. Petrolati of Ludlow) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Suspension
of Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 122 members voted in the affirmative and 33 in the negative.

Rule 1A
suspended,—
yea and nay
No. 338.

[See Yea and Nay No. 338 in Supplement.]

Therefore Rule 1A was suspended.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 4510-0100 by adding the following: “; and provided further, that \$25,000 shall be made available for the Town of Lynnfield to hire a coordinator for a new Substance Abuse Committee”; and in said item by striking out the figures: “17,400,813” and inserting in place thereof the figures: “17,425,813”;

Consolidated
amendments
(public health).

In item 4510-0110 by adding the following: “; provided further, that not less than \$175,000 shall be expended for the continuation of a comprehensive substance abuse and narcotic use reduction program at a federally qualified community health center located in South Boston; provided further, that not less than \$125,000 shall be expended towards the North End Waterfront Neighborhood Health Center for the purpose of operations and maintenance of treating substance abuse; provided further, that not less than \$100,000 shall be expended for the further development of an in-house, integrated Behavioral Health Program in Manet’s Quincy, Hull and Taunton health center locations to provide assessment, counseling and treatment for individuals struggling with and managing mental health and/or substance abuse conditions and disorder; and provided further, that not less than \$100,000 shall be

UNCORRECTED PROOF

expended for the operation of the South Boston Community Health Center, Inc. and its youth ambassador program and South Boston leadership initiative”; and in said item by striking out the figures: “503,653” and inserting in place thereof the figures: “1,003,653”;

By inserting after item 4510-0110 the following item:

“4510-0112 For the department of public health to conduct a postpartum depression pilot program at community health centers in the cities of Holyoke, Lynn, Worcester and the Jamaica Plain section of the City of Boston.....\$200,000”;

In item 4510-0600 by adding the following: “; provided, that not less than \$25,000 shall be expended to the Silent Spring Institute, Inc.”; and in said item by striking out the figures: “3,775,666” and inserting in place thereof the figures: “3,800,666”;

In item 4510-0710 by adding the following: “and provided further, that not less than \$50,000 shall be expended to Fairview Hospital for a feasibility study for shared regional emergency medical services in southern Berkshire County”; and in said item by striking out the figures: “11,297,647” and inserting in place thereof the figures: “11,347,647”;

By inserting after item 4512-0204, the following item:

“4512-0205 For grants and contracts with substance abuse programs to provide comprehensive prevention, intervention and recovery services; provided, that not less than \$250,000 shall be expended for a contract with The Gavin Foundation, Inc. to provide a Total Immersion Program in conjunction with the Probation Departments of the South Boston division of district courts and other district courts, provided that The Gavin Foundation, Inc. shall be contracted to provide Total Immersion Programs stated herein; provided further, that not less than \$200,000 shall be expended for a federally-qualified community health center with a 24-hours-a-day, 7-days-a-week emergency department licensed as a satellite unit under 105 CMR 130; provided further, that not less than \$200,000 shall be expended for Project RIGHT’s substance abuse/trauma prevention initiative in the Grove Hall area of Boston; provided further, that not less than \$200,000 shall be expended to Railroad Street Youth Project in Great Barrington for the Berkshire County Youth Development Project for youth intervention services; provided further, that not less than \$200,000 shall be expended for the operation of the operation of The Dimock Center’s Behavioral Health continuum of substance use care to provide comprehensive treatment for individuals suffering from substance use disorder and other behavioral health challenges; provided further, that not less than \$200,000 shall be expended for the operation and property improvements of Into Action Recovery; provided further that not less than \$150,000 shall be expended to Harbor Health Services for a grant program to prevent and treat addiction to opioid and related substances; provided further, that no less than \$100,000 shall be expended to the town of Braintree for Braintree’s Community Partnership on Substance Abuse; provided, that not less than \$150,000 shall be expended for Self Esteem Boston’s direct service and provider training programs; provided further,

UNCORRECTED PROOF

that not less than \$100,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts; provided further, that not less than \$100,000 shall be expended for planning, initial staffing and startup costs at St. Francis House in Boston for their substance abuse disorder outpatient clinic; provided further, that not less than \$50,000 shall be expended for Office-Based Addiction/Opioid Treatment, a program of the Greater New Bedford Community; provided further, that not less than \$50,000 shall be expended to the South Boston Collaborative for substance abuse programming; provided further that not less than \$50,000 shall be expended to Baystate Noble Hospital in Westfield for a grant program to prevent and treat opioid addiction and related substance abuse; provided further, that not less than \$50,000 shall be expended for the Milford Police Department and the Juvenile Advocacy Group to maintain a regional substance abuse outreach and intervention program in the Greater Milford area; provided further, that \$50,000 shall be expended for the City of Revere's Substance Use Disorder Initiatives; provided further, that not less than \$50,000 shall be expended on the Leominster Police Department Substance Abuse Task Force & Outreach Program; provided further, that not less than \$25,000 shall be expended on substance abuse programming for Plymouth Recovery Center, not yet contracted with the Bureau of Substance Addiction Services; provided further, that not less than \$25,000 shall be expended to fund substance misuse and mental health treatment in Nantucket County administered by the town of Nantucket; provided further that not less than \$25,000 shall be expended for Cory's Cause for the purpose of funding substance abuse prevention and treatment programs in the City of Taunton; provided further, that not less than \$25,000 shall be expended for the Champion Plan in the city of Brockton; provided further; that no less than \$20,000 shall be expended for the Decisions at Every Turn Coalition, for grants and contracts with substance abuse programs to provide comprehensive prevention, intervention and recovery services; provided further, that not less than \$20,000 shall be expended for the Merrimack Valley Prevention and Substance Abuse Project toward resources, community outreach and programs in Methuen, Lawrence, Haverhill and North Andover; provided further, that not less than \$20,000 shall be allocated to The Psychological Center in Lawrence toward the Women's View program; provided further, that not less than \$15,000 shall be expended for the purpose of seeking sustained recovery for adults fighting addiction for the Pelican Intervention Fund located in the City of Newburyport; provided further, that no less than \$10,000 be expended on substance abuse and addiction awareness and education efforts at the Reading Coalition Against Substance Abuse; and provided further, that no less than \$10,000 be expended on substance abuse and addiction awareness and education efforts at the

UNCORRECTED PROOF

Woburn Coalition Against Substance Abuse.....\$2,345,000”;

By striking out item 4512-0500 and inserting in place thereof the following item:

“4512-0500 For dental health services; provided, that not less than \$1,595,525 shall be expended for the comprehensive dental program for adults with developmental disabilities..... \$1,725,016”;

In item 4513-1023 by striking out the figures: “80,448” and inserting in place thereof the figures: “81,543”;

In item 4513-1026, in line 6, by inserting after the word “affairs” the following: “; provided further, that not less than \$100,000 shall be expended for the United Way of Tri-County’s Call 2 Talk program; provided further, that \$50,000 shall be expended to The Samaritans of Fall River/New Bedford, Inc.; provided further that not less than \$30,000 shall be provided for the town of Medfield for public awareness and education on suicide prevention”; and in said item by striking out the figures: “4,010,788” and inserting in place thereof the figures: “4,390,788”;

In item 4513-1111 by adding the following: “; provided further, that not less than \$200,000 shall be expended for Community Servings for the purposes of providing medically tailored meals to persons battling chronic illnesses, workforce training programs to those recovering from addiction and opportunities for expanded services and locations; provided further, that notwithstanding any general or special law to the contrary, \$100,000 shall be appropriated to the University of Massachusetts at Dartmouth to be expended for the operation of the Cranberry Health Research Center at the University of Massachusetts at Dartmouth; provided further, that \$50,000 shall be expended for the Cancer Connection in the city of Northampton to provide programs and support for men, women and children living with a cancer diagnosis; and provided further that not less than \$100,000 shall be expended for a grant to a statewide Alzheimer’s disease advocacy and education organization for a public awareness and education campaign as recommended by the Centers for Disease Control and Prevention”; and in said item by striking out the figures: “3,434,369” and inserting in place thereof the figures: “3,884,369”;

In item 4513-1130, in line 13, by inserting after the word “families”, the second time it appears, the following: “; provided further, that not less than \$100,000 shall be expended for the Women’s Center in the city of New Bedford to provide domestic violence and sexual assault prevention, education and counseling programs; provided further, that not less than \$75,000 shall be expended for the Katie Brown Educational Program, Inc. for a pilot instructional initiative, the Train the Trainer program, to train educators and increase the number of Southeastern Massachusetts students who acquire invaluable knowledge about the prevention of relationship violence; provided further, that not less than \$25,000 shall be expended on the Leominster Police Department domestic violence liaison position; provided further, that not less than \$10,000 shall be expended for the purpose of providing resources for domestic violence investigations for the police department in the town of Salisbury”; and in said item by striking out the figures: “34,111,882” and inserting in place thereof the figures: “34,621,882”;

By adding after said item 4513-1130 the following item:

“4513-1131 For a competitive grant program in public schools from grades 5 through 12 that will promote healthy relationships and address teen dating violence; provided, that the department of elementary and secondary education shall develop a 3 year grant program for 10 schools on anti-teen dating violence programming for implementation for the school year beginning

UNCORRECTED PROOF

in 2018; provided further, that the grant program shall be for schools in which the majority of students are eligible for free or reduced lunch; and provided further, that at least 1 grantee shall be a school located in a municipality with a population of 25,000 or less.....\$150,000”;

In item 4590-0250, in line 13, by inserting after the word “programs” the following: “; provided further, that not less than \$100,000 shall be expended for the Massachusetts model of community coalition; provided further, that no less than \$100,000 shall be expended for the purpose of establishing and supporting a school-based health center at Malden High School in the city of Malden; provided further that not less than \$25,000 shall be expended to Methuen High School toward the Students Against Destructive Decisions substance abuse program; provided further that not less than \$100,000 shall be expended to enhance the commonwealth's capacity to support the development of school-based Bridge programs for youths who have had prolonged absences due to hospitalization for physical or mental health care”; and in said item by striking out the figures: “11,765,955” and inserting in place thereof the figures: “12,090,955”;

In item 4590-0300 by striking out the figures: “3,718,872” and inserting in place thereof the figures: “4,218,872”;

In item 4590-0915, in line 7, by inserting after the following: “2B” the following: “; provided further, that Tewksbury hospital shall maintain the same number of beds in fiscal year 2019 as was maintained in fiscal year 2018; provided further, that the Pappas Rehabilitation Hospital for Children shall maintain not less than 120 beds for clients in its inpatient setting to the extent feasible within the appropriation; provided further that not less than \$150,000 shall be expended for the Pappas Rehabilitation Hospital for Children Summer Program”; and in said item by striking out the figures: “157,257,572” and inserting in place thereof the figures: “157,407,572”;

In item 4590-0925 by striking out the figures: “550,000” and inserting in place thereof the figures: “800,000”;

By striking out item 4590-1507 and inserting in place thereof the following item:

“4590-1507 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs, Inc., the Alliance of Massachusetts YMCAs, Inc., the YWCA organizations, nonprofit community centers and teen empowerment and youth development programs; provided, that the department of public health shall award not less than \$900,000 for competitively procured grants to youth at-risk programs utilizing an evidence-based positive youth development model, including programs that serve lesbian, gay, bisexual, transgender, queer and questioning youth; provided further, that not less than \$100,000 shall be expended for the Center for Teen Empowerment, Inc.; provided further that not less than \$200,000 shall be expended for the Big Brothers Big Sisters of Massachusetts Bay Mentor 2.0 program; provided further, that not less than \$20,000 be expended for the Lawrence Sueños Basketball Summer League to support the recreational, social, and health benefits the league provides to low-income youth in the City of Lawrence; provided further, that the department of public health shall award not less than \$1,600,000 to the Massachusetts Alliance of Boys & Girls Clubs, Inc. which

UNCORRECTED PROOF

shall be distributed equally between the alliance’s member organizations; and provided further, that the department shall award not less than \$1,300,000 to the Alliance of Massachusetts YMCAs, Inc. which shall be distributed between the alliance’s member organizations \$4,120,000”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 339 in Supplement.]

Therefore the consolidated amendments (public health) were adopted.

Consolidated amendments adopted,—
yea and nay
No. 339.

Recess.

At half past nine o’clock P.M. (Wednesday, April 25, 2018), on motion of Mr. Mariano of Quincy (Mr. Petrolati of Ludlow being in the Chair), the House recessed until the following day at ten o’clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Thursday, April 26, 2018 (at 10:00 o'clock A.M.).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Light and Warmth, we pray for our House membership as they continue the work of the people of the Commonwealth. May they and their staff be blessed with good health in mind and body.

Prayer.

We are grateful for the popular devotion our citizens give to their bodily health. Today we remember that the nation's first country club was founded in Brookline in 1882. Horseback riding and other outdoor activities were first planned and eventually in 1893, The Country Club built its first golf course of six holes. As one of the five charter members of the United States Golf Association, The Country Club promoted the first undisputed national amateur championship in 1895 followed the next day by the U.S. Open.

The 1913 U.S. Open saw a stunning upset win by a former caddie at The Country Club, amateur golfer Francis Ouimet. His victory helped to promote the sport of golf in this country as public courses were soon built to provide this recreation of the average citizen.

May God continue to bless our Commonwealth.

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.

Statement Concerning Representative Calter of Kingston.

A statement of Mrs. Haddad of Somerset concerning Mr. Calter of Kingston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Calter of Kingston, is unable to be present in the House Chamber for today's session due to personal business in his district. His missing of roll calls today is due entirely to the reason stated.

Statement concerning Mr. Calter of Kingston.

Resolutions.

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

Resolutions (filed by Representatives Rushing of Boston, Holmes of Boston, Moran of Lawrence, Williams of Springfield, Vargas of Haverhill and Matias of Lawrence) honoring Oscar Lopez Rivera for his commitment to the lives of the Puerto Rican people in the U.S. and Puerto Rico Island;

Oscar Lopez Rivera.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating David Dow on receiving the Eagle Award of the Boy Scouts of America;

David Dow.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Mitchell Green on receiving the Eagle Award of the Boy Scouts of America;

Mitchell Green.

Resolutions (filed by Mr. Cutler of Duxbury) commemorating Brian Van Riper for his three decades of dedicated service to the town of Pembroke;

Brian Van Riper.

Resolutions (filed by Representatives Khan of Newton and Balser of Newton) commending Multi-Service Eating Disorders Association, Inc. for its recognition of May 2, 2018 as Body Confidence Awareness Day;

Body Confidence Awareness Day.

Resolutions (filed by Mr. Linksy of Natick) congratulating Kyle Comeau on receiving the Eagle Award of the Boy Scouts of America;

Kyle
Comeau.

Resolutions (filed by Mr. Roy of Franklin) recognizing April 30, 2018 as the United States Air Force Band Day; and

Air Force
Band Day.

Resolutions (filed by Messrs. Walsh of Peabody and Speliotis of Danvers) congratulating Rosemary Bevins on her retirement;

Rosemary
Bevins.

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

Reports of a Committee.

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

Relating to road building equipment classifications (House, No. 1851);

Road building.

Increasing the penalty for tailgating emergency vehicles (House, No. 4344);
and

Tailgating.

Requiring fair housing training for real estate agents and brokers (House, No. 4352);

Fair housing
training.

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

Engrossed Bills.

Engrossed bills

Designating a certain bridge in the town of Hudson as the Private First Class Kenneth M. Thibault memorial bridge (see House, No. 4023); and

Bills
enacted.

Designating certain bridges in the city known as the town of Barnstable as the first responders appreciation overpasses (see House, No. 4152);

(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.

Orders of the Day.

The House Bill establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (House, No. 4424), reported by the committee Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Walsh of Peabody; and it was passed to be engrossed. Sent to the Senate for concurrence.

George
Hodgdon,—
sick leave.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended),

General
Appropriation
Bill.

was considered.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it by adding the following section:

“SECTION 57. Notwithstanding any general or special law to the contrary, there shall be a special task force to review and report on the economic impact of loan forgiveness programs to ensure that college graduates stay, work, and build businesses in Massachusetts. The task force shall consist of 13 members: the house and senate chairs of the joint committees on economic development and emerging technologies and higher education or their designees, who shall serve as the co-chairs of the task force; a member of the general court appointed by the senate minority leader; a member of the general court appointed by the house minority leader; the executive director of the Massachusetts Workforce Development Board, or a designee; the executive director of the Massachusetts Technology Collaborative, or a designee; and 5 persons to be appointed by the secretary of labor and workforce development, 1 of whom shall be an employee of the commonwealth in the office of the secretary of labor and workforce development, 2 of whom shall be selected from a list of 5 persons nominated by the Massachusetts Business Roundtable, and 2 of whom shall be selected from a list of 5 persons nominated by the chancellor of the university of Massachusetts.

This task force shall: (i) identify and review the state laws, regulations, and administrative directives that prescribe loan forgiveness; (ii) identify the key labor sectors that would best benefit from grants and fellowships within the commonwealth; (iii) require the department of labor and workforce development to submit reports to the legislature it obtains from banks and technology companies; and (iv) develop recommendations to establish legislative procedures to provide funding, regulate, and grant loan forgiveness to eligible applicants.

The task force shall submit a report, including any draft legislation and regulations, to the clerks of the house and representatives and the senate within 12 months of the passage of this act.”.

The amendment was adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 58. There shall be established an employee vacation and earned sick leave credit task force to study and make recommendations on establishing a uniform state policy regarding the cash out of vacation and sick leave credits applicable to employees of the commonwealth who are in positions that are not subject to collective bargaining agreements. The task force shall be comprised of the following 11 members or their designees: the secretary of administration and finance who shall serve as chair; the administrator of the trial court; the colonel of state police; the chair of the board of higher education; 1 person to be appointed by the speaker of the house of representatives; 1 person to be appointed by the senate president; 1 person to be appointed by the minority leader of the house of representatives; 1 person to be appointed by the minority leader of the senate; and 3 persons to be appointed by the governor, 1 of whom shall have experience in labor law.

The task force shall study and make recommendations on establishing the following uniform policies and shall examine the practices of neighboring states: (i) rate of accrued sick leave; (ii) cash out of sick leave credit upon retirement; (iii) payment of sick leave credits upon the death of an employee; and (iv) transfer of sick leave credits from other political subdivisions of the commonwealth. In

addition, the task force shall study the feasibility of establishing an extended illness leave bank for all employees of the commonwealth.

The task force shall convene not later than 30 days after the effective date of this act and shall file its recommendations with the clerks of the house of representatives and senate not later than December 31, 2018.”.

The amendment was adopted.

Mr. Cusack of Braintree then moved to amend the bill by inserting after section 24A (inserted by amendment) the following section:

“SECTION 24B. Section 135 of chapter 219 of the acts of 2016 is hereby amended by striking out the words ‘from August 1, 2016 to July 31, 2018, inclusive.’”.

The amendment was adopted.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following three sections:

“SECTION 59. Chapter 90 of the General Laws is hereby amended by adding the following section:—

Section 63. There shall be a third-party audit of the database of the registry of motor vehicles for the purpose of detecting and identifying: (i) existing license holders for potential fraud or duplicate issuances of license/registrations; (ii) anomalies in licensed identities; (iii) potential fraud rings; (iv) addresses containing post offices boxes; and (v) other such anomalies and fraud indicators. For the purposes of this section the term ‘third party audit’ shall mean an independent review and examination of registry of motor vehicles data pursuant to clauses (i) to (v), inclusive.

SECTION 60. Notwithstanding any general or special law or rule or regulation to the contrary, the audit required by this act shall take place on or before December 1, 2018.

SECTION 61. The registrar of motor vehicles shall promulgate emergency regulations to implement this act no later than 30 days after the passage of this act.”.

After remarks the amendment was rejected.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 0521-0000, by striking out the figures: “11,946,224” and inserting in place thereof the figures: “12,446,224”;

In item 0540-1900 by striking out the figures: “1,925,170” and inserting in place thereof the figures: “2,025,170”;

In item 0610-0010 by adding the following: “; provided, that \$60,000 shall be expended for Budget Buddies, Inc. in the town of Chelmsford to operate a program that mentors and teaches financial literacy to low-income women”; and in said item by striking out the figures: “435,000” and inserting in place thereof the figures: “495,000”;

In item 0640-0300, in line 5, by inserting after the word “Laws” the following: “; provided further, that not less than \$50,000 shall be expended to the Albion Cultural Exchange in the town of Wakefield for elderly access improvements”; and in said item by striking out the figures: “13,950,699” and inserting in place thereof the figures: “14,500,699”;

In item 0840-0100, in line 1, by inserting after the word “board” the following: “; provided, that not less than \$50,000 shall be expended for the Bobby Mendes Peace Legacy; and provided further, that not less than \$50,000 shall be expended for the Women Survivors of Homicide Movement”; and in said item by striking out the figures: “742,531” and inserting in place thereof the figures: “892,531”;

In item 0950-0000 by striking out the figures: “118,280” and inserting in place

Consolidated amendments (constitutional officers, state administration and transportation).

thereof the figure: “170,000”;

In item 0950-0080 by striking out the figures: “50,500” and inserting in place thereof the figures: “75,000”;

In item 1000-0001, in line 1, by inserting after the word “comptroller”, the first time it appears, the following words “; for the management of the accounting, payroll, related financial systems and annual financial reports, including prescribing the books and manner of accounting and internal control guidance for all commonwealth agencies to promote accountability, integrity, and clarity in commonwealth business, fiscal, and administrative enterprises and mitigate the risk of fraud, waste and abuse of commonwealth resources”;

In item 1201-0100, in line 10, by inserting after the word “bank” the following: “; provided further, that not less than \$20,000 shall be expended to Greater Lawrence Community Action Council, Inc. for the volunteer income tax assistance program”; and in said item by striking out the figures: “78,804,751” and inserting in place thereof the figures: “78,824,751”;

By striking out item 1599-0026 and inserting in place thereof the following item:

“1599-0026 For a reserve to support municipal improvements; provided, that funds shall be expended for an incentive program for communities and municipalities engaging in the use of best practices determined by the Community Compact Cabinet created by Executive Order No. 554 issued January 23, 2015; provided further that not less than \$150,000 shall be expended for the architectural plans to retrofit the West Boylston fire station, which was previously a police station; provided further, that not less than \$150,000 shall be expended for the Pond Plain Improvement Association in the town of Weymouth; provided further, that not less than \$75,000 shall be expended to support a rehabilitation project at Fore River Clubhouse and Fore River Field in Quincy; provided further, that not less than \$50,000 shall be expended for the costs of the restoration and repair of Holyoke City Hall; provided further, that not less than \$75,000 shall be expended for improvements to Millside Park in the City of Easthampton; provided further, that not less than \$75,000 shall be expended for the Sudbury Public Schools to investigate the financial and enhanced student service opportunities, benefits, and challenges created by the consolidation, regionalization, and/or sharing of critically limited and required educational resources among multiple school districts; provided further, that not less than \$50,000 shall be expended for tree removal in the town of Belmont; provided further, that not less than \$50,000 shall be expended for the continued schematic design work for the renovation of the police department and department of public works buildings in the town of Belmont; provided further, that not less than \$50,000 shall be expended for the design and construction of a Building and Campus Security Command Center at the Shawsheen Valley Technical High School; provided further, that not less than \$25,000 shall be expended to upgrade the communications system for various public safety departments in the town of Charlton; provided further, that not less than \$25,000 shall be expended for the

planning and economic development of the re-zoned parcels of route 140 and route 123 in the town of Norton, to modernize and archive planning and zoning department capabilities for expedited planning analysis and permitting; provided further, that not less than \$25,000 shall be expended for a feasibility study in the town of Mansfield to assess a conversion of the police station into a Center for the Council on Aging; provided further, that not less than \$30,000 shall be expended for the restoration and renovation of the Buck Auditorium in Billerica Town Hall; provided that not less than \$100,000 shall be expended for the restoration of the David Tilden House in the town of Canton; and provided further, that not less than \$15,000 shall be expended for preservation efforts in the town of Hanson; provided further, that funds shall be expended for a multi-year competitive grant program to provide financial support for one-time or transition costs related to regionalization and other efficiency initiatives, with allowable applicants to include municipalities, regional school districts, school districts considering forming a regional school district or regionalizing services, regional planning agencies and councils of governments; provided further, that not less than \$500,000 shall be expended for a public safety grant program in the city of Lawrence; and provided further, that not less than \$2,800,000 shall be expended for the District Local Technical Assistance Fund established in section 2XXX of chapter 29 of the General Laws, including projects that encourage regionalization, to be administered by the division of local services and distributed through the District Local Technical Assistance Fund\$4,845,000”;

In section 2E, in item 1595-6368, by adding the following: “; provided, that not less than \$100,000 shall be expended for renovations to the Park Street Bridge in Lee; provided further, that not less than \$25,000 shall be expended for pedestrian safety and access to local businesses along Route 38; provided further, that not less than \$75,000 shall be expended for elderly and commuter services in Maynard and Acton; provided further, that not less than \$50,000 shall be expended for the Kensington Underpass in East Somerville; provided further, that not less than \$25,000 shall be expended for improvements to pedestrian safety and access to public transportation along Route 38 in Somerville; provided further, that not less than \$50,000 shall be expended for transportation services for Camp Harbor View; provided further, that not less than \$30,000 shall be expended for a study on pedestrian crossings of Route 9 in Wellesley; and provided further, that not less than \$75,000 shall be expended for upgrades to the Newton Square rotary in Worcester”; and in said item by striking out the figures: “322,679,448” and inserting in place thereof the figures: “323,109,448”;

In item 1595-6370 by adding the following words: “; provided further that each regional transit authority receiving assistance under this item shall deliver not later than October 1, 2018, a copy of its most recent audited financial statement to the chief financial officer of the Massachusetts department of transportation, the secretary of administration and finance, the treasurer of the commonwealth, the comptroller of the commonwealth, the house and senate committees on ways and means, and the joint committee on transportation”; and in said item by striking out

the figures: “80,000,000” and inserting in place thereof the figures: “82,000,000”;

By inserting after section 7 the following section:

“SECTION 7A. Section 3 of chapter 6C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out clauses 47 and 48 and inserting in place thereof the following 3 clauses:—

(47) ensure regional equity related to transportation planning, construction, repair, maintenance, capital improvement, development and funding;

(48) designate a representative to act in its interest in labor relations matters with its employees; and

(49) sell, lease or otherwise contract for advertising, including in or on the facilities of the department; provided, that advertising appearing on the exterior of the facility, including billboards, signs and other advertising devices, shall be consistent with local ordinances or by laws.”;

By inserting after section 15 the following section:

“SECTION 15A. Section 91 of chapter 32 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 97 and 113, the words ‘nine hundred and sixty’ and inserting in place thereof, in each instance the following words:— 1,500.”.

By inserting after section 16B (inserted by amendment) the following three sections:

“SECTION 16C. Section 7A of Chapter 90 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding at the end of the first paragraph the following:—

The registrar shall adopt rules and regulations to exempt antique automobiles that are 75 years old or older, whose owners are members of a recognized antique automobile club, from the annual vehicle safety inspection program. Said antique automobiles shall be actively registered with an antique or year of manufacture registration plate to qualify for this exemption. An antique automobile exempt under this section that changes ownership shall be required to have a vehicle safety inspection performed within seven days of being registered by the new owner.

SECTION 16D. Section 10 of chapter 90 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 30 and 31, the words ‘grants substantially similar privileges to residents of this commonwealth and,’.

SECTION 16E. The first paragraph of said section 10 of said chapter 90, as so appearing, is hereby further amended by adding the following sentence:—

The nonresident shall have in their possession a valid international drivers’ permit or a document containing a photo and an English translation that substantially corresponds to an international driving permit, which shall be used solely to properly identify the individual appearing on the license for the purpose of enforcing this section if no English translation appears on the front or back of the license that the nonresident is required to have in possession at all times while operating a motor vehicle.”;

By inserting after section 18 the following section:

“SECTION 18A. Section 29 of chapter 93 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the first sentence the following 2 sentences:—

For the purposes of this section, a public park or reservation shall include a parkway under the jurisdiction of the department of conservation and recreation. Such rules and regulations shall require that said billboards, signs and other advertising devices: (i) shall not be located within 500 feet of a public park or

reservation without local approval; (ii) shall not obstruct the view of any location listed on the national register of historic places without local approval; and (iii) shall be restricted on particular premises as necessary to promote the protection of open space.”;

By inserting after section 20 the following two sections:

“SECTION 20A. Paragraph (n) of section 3 of chapter 161A of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word ‘authority’, in line 120, the following words:— ; provided, that outdoor advertisements shall be subject to local zoning and approval.

SECTION 20B. Section 8 of chapter 161B of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following subsection:—

(l) For the purposes of the distribution formula made pursuant to clause (2) of subsection (d) of section 2ZZZ of chapter 29, the authorities shall execute a memorandum of understanding with the Massachusetts department of transportation, which shall incorporate the service standards based on the guidelines established by the Task Force on Regional Transit Authority Performance and Funding, and may include appropriate ridership, customer service, asset management and financial performance indicators and best practices in order to ensure that the authorities make data-driven decisions with respect to service and asset management.”;

By inserting after section 23G (inserted by amendment) the following two sections:

“SECTION 23H. The definition of ‘Greenway’ in section 2 of chapter 306 of the acts of 2008 is hereby amended by adding the following sentence:— Parcel 23D shall be known as the Auntie Kay and Uncle Frank Chin Park.

SECTION 23I. Chapter 65 of the acts of 2010 is hereby amended by inserting, after section 2, the following section:—

Section 2A. Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the leases or other agreements executed under section 1 shall not require an annual rental payment increase of more than 2 per cent of the established rental payment rate for each lease as of January 1, 2015.”;

By inserting after section 32C (inserted by amendment) the following three sections:

“SECTION 32D. The rotary on Route 28 in Bourne at the entrance to Joint Base Cape Cod shall be designated and known as Heroes circle, in honor of the service of the men and women of the Armed Forces of United States of America. The Massachusetts Department of Transportation shall erect and maintain suitable markers near the rotary bearing the designation in compliance with the standards of the department.

SECTION 32E. The section of United States highway Route 7 in the town of Sheffield beginning at the intersection of United States highway Route 7 and Silver street and ending at the former home of attorney Theodore Sedgwick located at 126 United States highway Route 7 in Sheffield shall be designated and known as the Elizabeth Mumbet Freeman Highway to Freedom in recognition of Elizabeth Mumbet Freeman, the first African-American woman to fight for her freedom through the Massachusetts judicial system and successfully claim her rights under the Massachusetts constitution in 1781, setting a precedent for the abolition of slavery in the commonwealth. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing said designation in compliance

with the standards of the department.

SECTION 32F. There is hereby established a Task Force on Regional Transit Authority Performance and Funding to evaluate how regional transit authorities can best provide and improve transit services that meet identified community needs, conduct regular service planning recognizing the diverse service populations and makeup of different geographic regions that maximizes ridership using available resources, and ensure that fares, local contributions and other own source revenues cover an appropriate share of service costs. The task force shall consist of 17 members or their designees: 2 members of the house of representatives, 1 of whom shall be appointed by the speaker of the house and 1 of whom shall be appointed by the minority leader of the house of representatives; 2 members of the senate, 1 of whom shall be appointed by the senate president and 1 of whom shall be appointed by the minority leader of the senate; the rail and transit administrator of the Massachusetts Department of Transportation who shall serve as chair; 3 members appointed by the regional transit authority administrators, all of whom shall be a former or current administrator of regional transit authority; 3 members appointed by the governor, all of whom shall be a former or current administrator of a regional transit authority; and 6 members who shall be appointed by the governor, 2 of whom shall be an expert in bus service planning, 2 of whom shall be the chief elected official or city or town manager of a city or town served by a regional transit authority, 1 of whom shall be a representative of an employer or business organization served by a regional transit authority and 1 of whom shall be a regular regional transit authority rider or representative of an organization that advocates for regional transit authority riders. The task force shall make recommendations on guidelines for the establishment of service standards, the establishment of a predictable revenue stream for RTA service, appropriate ridership, customer service, asset management and financial performance indicators and best practices for regional transit authorities no later than December 1, 2018. The task force shall file the report of its study and recommendations with the clerks for the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on transportation and the secretary of transportation no later than December 1, 2018; provided, however, that the task force may make a draft report available to the public for comment before filing the final version.”;

By inserting after section 35 the following section:

“SECTION 35A. Notwithstanding any general or special law to the contrary, \$2,000,000 of the total amount made available in item 1595-6370 of section 2E shall be distributed by the Massachusetts Department of Transportation to regional transit authorities that have agreed to remedial plans. Said plans shall include specific financial performance indicators and shall be designed: (i) to eliminate any unfunded deficits within 3 years and to forestall the reoccurrence of such deficits, if any, thereafter; (ii) for regional transit authorities for which additional resources could maintain or expand successful service initiatives; (iii) for regional transit authorities to initiate, maintain or expand service to an identified need that is a priority population of the state or municipalities; and (iv) for services and programs operated by the regional transit authorities which the department deems to be a best practice service or program.”; and

By inserting after section 45B (inserted by amendment) the following section:

“SECTION 45C. Section 20B shall take effect on July 1, 2019.”.

After debate on the question on adoption the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Consolidated
amendments
adopted,—

[See Yea and Nay No. 340 in Supplement.]

yea and nay
No. 340.

Therefore the consolidated amendments (constitutional officers, state administration and transportation) were adopted.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 59. The first paragraph of subsection (a) of section 178H of chapter 6 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following sentence:—

Prosecutions commenced pursuant to this section shall neither be continued without a finding nor dismissed unless the sex offender registry board or police department produces verified documentation from that the sex offender has registered.”.

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following twelve sections:

“SECTION 59. Subsection (p) of section 6 of chapter 62 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding, in line 760, after the words “as amended” the following words:— ‘, or a nonprofit trust in realty organized for the purposes of land conservation established pursuant to chapter 203.’

SECTION 60. Said subsection (p) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 826, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— ‘\$3,000,000’.

SECTION 61. Said subsection (p) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 826, the figure ‘\$3,000,000’ and inserting in place thereof the following figure:— ‘\$4,000,000’.

SECTION 62. Said subsection (p) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in line 826, the figure ‘\$4,000,000’ and inserting in place thereof the following figure:— ‘\$5,000,000’.

SECTION 63. Section 38AA of chapter 63, as so appearing, is hereby amended by adding, in line 29, after the words ‘as amended’ the following words:— , or a nonprofit trust in realty organized for the purposes of land conservation established pursuant to chapter 203.

SECTION 64. Said section 38AA of said chapter 63, as so appearing, is hereby amended by striking out, in line 88, the figure ‘\$2,000,000’ and inserting in place thereof the following figure:— ‘\$3,000,000’.

SECTION 65. Said section 38AA of said chapter 63, as so appearing, is hereby amended by striking out, in line 88, the figure ‘\$3,000,000’ and inserting in place thereof the following figure:— ‘\$4,000,000’.

SECTION 66. Said section 38AA of said chapter 63, as so appearing, is hereby amended by striking out, in line 88, the figure ‘\$4,000,000’ and inserting in place thereof the following figure:— ‘\$5,000,000’.

SECTION 67. Sections 60 and 64 shall take effect on January 1, 2019.

SECTION 68. Sections 61 and 65 shall take effect on January 1, 2020.

SECTION 69. Sections 62 and 66 shall take effect on January 1, 2021.

SECTION 70. This act shall expire on December 31, 2029.”.

After debate on the question on adoption of the amendment (Mr. Wagner of Chicopee in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 341.

[See Yea and Nay No. 341 in Supplement.]

Therefore the amendment was adopted.

The Speaker in the Chair,—

Representatives Matias of Lawrence, Jones of North Reading and other members of the House then moved to amend the bill by adding the following three sections:

“SECTION 71. Chapter 22A of the General Laws is hereby amended by adding the following section:—

Section 10. The executive office of public safety and security shall develop a guide entitled the Massachusetts policy and procedure for missing and abducted children investigations that shall establish comprehensive minimum standards for law enforcement agencies in the Commonwealth. Such agencies shall reference the guide and implement the policy and procedure in agency practices and the training of law enforcement officers.

The executive office shall reference, but shall not be limited to, the law-enforcement policy and procedures for reports of missing and abducted children, developed by The National Center for Missing and Exploited Children. The executive office shall ensure that policies promulgated are comprehensive and inclusive to different categories of missing children, including, but not limited to, children under 10 years of age, children under 17 years of age, children with mental and physical limitations, and dependent adults with mental and physical limitations.

The municipal police training committee shall include in their 2019 training year, a mandatory 2-hour in-service training program for veteran police officers on the Massachusetts policy and procedure for missing and abducted children investigations. The municipal police training committee shall include training on the Massachusetts policy and procedure for missing and abducted children investigations for new police officers attending the police academy.

The executive office of public safety and security shall ensure internal policies and the missing child clearinghouse intake form to reflect the Massachusetts policy and procedure for missing and abducted children investigations. The missing child clearinghouse intake form shall be available in, but not limited to, the following languages; English, Spanish, Portuguese, French, Chinese, Haitian Creole, Vietnamese, Russian, German, Albanian, Khmer or Cambodian.

SECTION 72. Section 71 shall take effect on January 15, 2018.

SECTION 73. By January 15, 2019, all law enforcement agencies in the Commonwealth of Massachusetts shall adopt the Massachusetts policy and procedures for missing and abducted children investigations as the minimum protocol in investigations of missing children.”

After remarks on the question on adoption of the amendment (Mr. Donato of Medford being in the Chair), the sense of the House was taken by yeas and nays, at the request of Ms. Matias; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 342.

[See Yea and Nay No. 342 in Supplement.]

Therefore the amendment was adopted.

Representatives Lyons of Andover and O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 74. (a) Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall prepare a report on the following: 1) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of citizens of the United States who are residents of the Commonwealth of Massachusetts; 2) the total amount of the state budget that is being used to fund individual, family, and other

benefits or expenditures on behalf of persons holding Green Cards who are residents of the Commonwealth of Massachusetts; 3) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of citizens of the United States whose residence in the Commonwealth of Massachusetts cannot be established; and 4) the total amount of the state budget that is being used to fund individual, family, and other benefits and expenditures on behalf of all other persons. (b) Said report shall also itemize expenditures used to provide services to residents of the Commonwealth, non-residents, and those whose residence cannot be identified with respect to: legal services, including but not limited to criminal defense costs; translations and translator services; the detention of prisoners; and the Health Safety Net program, including cost to government, cost shifting to other payers or insurers, and the cost to hospitals, clinics, and other health-care providers. (c) In calculating the amounts described in subsections (a) and (b), the executive office of administration and finance shall utilize generally accepted accounting principles encompassing all state spending. (d) Said report shall be filed with to the chair and ranking minority member of the house committee on ways and means, the chair and ranking minority member of the senate committee on ways and means, and the clerks of the house of representatives and senate no later than October 15, 2018.”

The amendment was rejected.

Mr. Vargas of Haverhill then moved to amend the bill by inserting after section 13 the following section:

“SECTION 13A. Chapter 29 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out section 2RRRR, and inserting in place thereof the following section:—

Section 2RRRR. (a) There shall be a Municipal Naloxone Bulk Purchase Trust Fund to be administered and expended by the commissioner of public health or a designee for the municipal naloxone bulk purchase program. Municipalities and non-profit organizations that contract with the department of public health’s bureau of substance use addiction services may join the program to purchase naloxone for municipal first responder agencies and said non-profit organizations. The state office of pharmacy services shall assist with the purchasing and distribution of naloxone on behalf of the program. The department of public health shall provide technical assistance to participating municipalities and non-profit organizations to ensure that the municipalities and non-profit organizations complete all training and registration requirements.

(b) The fund shall consist of: (i) payments made by participating municipalities and non-profit organizations for the purchase of naloxone; (ii) revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund; and (iii) funds from public or private sources, including, but not limited to, gifts, grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund. Funds received under clauses (ii) or (iii) shall be apportioned in a manner determined by the department and shall be applied to provide price reductions for municipalities purchasing naloxone through the program, in addition to any discounts procured by the fund through bulk purchasing. Amounts credited to the fund shall not be subject to further appropriation and monies remaining in the fund at the end of a fiscal year shall not revert to the General Fund. The commissioner shall report annually not later than October 1 to the house and senate committees on ways and means on the fund’s activity. The report shall include, but not be limited to, revenue received by the fund, revenue and expenditure projections for the

forthcoming fiscal year and details of all expenditures from the fund, the municipalities and non-profit organizations participating in the program, the amount of naloxone purchased by each municipality and non-profit organizations and the discount procured through bulk purchasing.”.

The amendment was adopted.

Reports of Committees.

Mrs. Haddad of Somerset being in the Chair,—

There being no objection,— Mr. Straus of Mattapoisett, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2409) of the House Bill financing improvements to municipal roads and bridges (House, No. 4367, amended), reported, in part, a bill with the same title (House, No. 4449) [Fiscal Note: \$200,000,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal roads and bridges.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Straus; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Conference committee report accepted,— yeas and nays No. 343.

[See Yeas and Nays No. 343 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended), was considered.

General Appropriation Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Lyons of Andover and other members of the House moved to amend it by adding the following five sections:

“SECTION 74. Section 31 of chapter 94C of the General Laws as appearing in the 2016 Official Edition is hereby amended by adding to ‘CLASS A’ the following subsection:—

(d) Any substance controlled in Schedule I of Title 21 of the Code of Federal Regulations Part 1308.11 unless specifically excepted or unless listed in another class in this section.

SECTION 75. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS B’ the following subsection:—

(f) Any substance controlled in Schedule II of Title 21 of the Code of Federal Regulations Part 1308.12, unless specifically excepted or unless listed in another class in this section.

SECTION 76. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS C’ the following subsection:—

(g) Any substance controlled in Schedule III of Title 21 of the Code of Federal Regulations Part 1308.13, unless specifically excepted or unless listed in another class in this section.

SECTION 77. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS D’ the following subsection:—

(c) Any substance controlled in Schedule IV of Title 21 of the Code of Federal Regulations Part 1308.14, unless specifically excepted or unless listed in another class in this section.

SECTION 78. Said section 31 of said chapter 94C, as so appearing, is hereby further amended by adding to ‘CLASS E’ the following subsection:—

(c) Any substance controlled in Schedule V of Title 21 of the Code of Federal Regulations Part 1308.15, unless specifically excepted or unless listed in another class in this section.”

The amendment was rejected.

Messrs. Lyons of Andover and Hunt of Sandwich then moved to amend the bill in section 2 by inserting after item 8000-0600 the following item:

“8000-XXXX For the executive office of public safety to establish a drug strike force meant to augment local law enforcement entities so they may receive the proper training, equipment, and personnel required to effectively combat drug trafficking...\$25,000,000”.

The amendment was rejected.

Mr. Lyons of Andover then moved to amend the bill in section 2, in item 8200-0200, by striking out the figures: “4,775,808” and inserting in place thereof the figures: “8,000,000”; and the amendment was rejected.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 7002-0010 by adding the following: “; provided further, that not less than \$25,000 shall be expended on the Women’s Fund of Western Massachusetts; provided further, that not less than \$12,500 shall be expended on the Charles H. McCann Technical School; provided further, that not less than \$12,500 shall be expended on the Berkshire Training and Employment Program; provided further, that not less than \$300,000 shall be expended on the New England Center for Arts & Technology, Inc.; and provided further, that not less than \$100,000 shall be expended on the 495/MetroWest Corridor Partnership, Inc.”; and in said item by striking out the figures: “1,880,224” and inserting in place thereof the figures: “2,330,224”;

In item 7002-0012, in line 6, by inserting after the word “organizations” the following: “; provided further, that not less than \$150,000 shall be expended for a grant program to St. Mary’s Center for Women and Children, Inc. in Dorchester for the operation of workforce development and educational programming for women and girls; provided further, that not less than \$100,000 shall be expended for the Cape Verdean Cultural Center Feasibility Commission; provided further, that not less than \$250,000 shall be expended for the New England Farm Workers’ Council, Inc.; provided further, that not less than \$125,000 shall be expended for a grant to the Union of Minority Neighborhoods, Inc.; provided further, that not less than \$50,000 shall be expended for a grant program to Crossroads Family Center in East Boston for the operation of workforce development and educational programming for women and girls; provided further, that not less than \$50,000 shall be allocated to the Lawrence Family Development Fund for a youth jobs program to employ at-risk youths of Lawrence; provided further, that not less than \$35,000 shall be

Consolidated
amendments
(labor and
economic
development).

allocated to Groundwork Lawrence Inc, to deliver hands-on STEM education for the youth of Lawrence for the purposes of expanding comprehensive services by providing dedicated street outreach, transitional, counseling services, and job training for proven-risk young adults in and from the city of Lawrence”; and in said item by striking out the figures: “11,500,000” and inserting in place thereof the figures: “12,760,000”;

By inserting after item 7002-0017 the following item:

“7002-0032 For a transfer to the John Adams Innovation Institute Fund established in section 6A of chapter 40J of the General Laws.....\$500,000”;

In item 7002-0036, in line 5, by inserting after the word “development” the following: “; provided further, that not less than \$100,000 shall be expended on the Roxbury Trust Fund; provided further, that not less than \$50,000 shall be expended on the Methuen Arlington Neighborhood, Inc.”; and in said item by striking out the figures: “500,000” and inserting in place thereof the figures: “650,000”;

In item 7002-1506, in line 14, by inserting after the word “requirements” the following: “; provided further, that not less than \$50,000 shall be expended on the Arlington Community Trabajando”; and in said item by striking out the figures: “500,000” and inserting in place thereof the figures: “550,000”;

In item 7002-1508, in line 39, by inserting after the word “ventures” the following: “; provided further, that not less than \$75,000 shall be expended on the Greater Gardner Business Incubation Network’s business incubator”; and in said item by striking out the figures: “1,500,000” and inserting in place thereof the figures: “1,575,000”;

In item 7003-0803 by adding the following: “; provided, that not less than \$100,000 shall be expended for the creation of a mini career resource center in city hall in the city of Everett to develop workforce development services in the city”; and in said item by striking out the figures: “3,960,051” and inserting in place thereof the figures: “4,060,051”;

In item 7003-1206 by adding the following: “; provided, that not less than \$400,000 shall be expended for the Urban League of Springfield, Inc.; provided further, that not less than \$80,000 shall be expended to the Leduc Center for Civic Engagement at the University of Massachusetts at Dartmouth for transportation costs related to the America Reads/Counts program; provided further, that not less than \$50,000 shall be expended to the SPARK program operated by the Greater Holyoke Chamber of Commerce; provided further, that \$125,000 shall be expended for the Moving Ahead Program at the St. Francis House in Boston; provided further, that not less than \$400,000 shall be expended for the Urban League of Eastern Massachusetts, Inc.; provided further, that not less than \$250,000 shall be expended to the department of planning and development in the city of Lowell for the continued implementation of a business development grant program; provided further, that not less than \$50,000 shall be expended to the town of Chelmsford to create a business development grant program; provided further, that not less than \$75,000 shall be expended for the creation of a domestic violence outreach coordinator position within the Cape Verdean Association of Brockton; provided further, that not less than \$100,000 shall be expended for Cape Verdean Community UNIDO, Inc. to support outreach to immigrants in the Roxbury and Dorchester areas of Boston; provided further, that not less than \$100,000 shall be expended for the Haitian American Business Expo, Inc. / U.S. Haitian Chamber of Commerce, Inc. for hiring staff to assist in its’ non-profit mission of assisting Haitian American businesses through technical and business plan assistance; provided further, that not

less than \$100,000 shall be expended for Building Pathways, Inc. in Boston”; and in said item by striking out the figures: “1,400,000” and inserting in place thereof the figures: “3,130,000”;

In item 7007-0500, in lines 17 and 21, by striking out the word “department” and inserting in place thereof, in each instance, the word “institute”;

In item 7007-0801 by adding the following: “and provided further, that not less than \$100,000 shall be expended to support the eligible organizations’ lending and technical assistance activities, and provided further that the funds shall be allocated to SEED Corporation and Common Capital, Inc. for these purposes”; and in said item by striking out the figures: “100,000” and inserting in place thereof the figures: “200,000”;

In item 7007-0952 by striking out the figures: “4,000,000” and inserting in place thereof the figures: “4,600,000”;

By inserting after item 7008-0900 the following item:

“7008-1116 For the commonwealth’s local economic development projects; provided, that not less than \$100,000 shall be expended for the National Lancers site in Framingham; provided further, that not less than \$125,000 shall be expended for Gloucester Celebrations, Inc.; provided further, that not less than \$30,000 shall be expended for the Fall River Fire Museum; provided further, that not less than \$100,000 shall be expended for the Lexington Visitors’ Center; provided further, that not less than \$50,000 shall be expended for the restoration of dunes at Blish point in Barnstable; provided further, that not less than \$50,000 shall be expended for No Books No Ball in Roxbury; provided further, that not less than \$100,000 shall be expended for a matching grant program to the Enrichment Center in Dorchester; provided further, that not less than \$25,000 shall be expended for the Lena Park community center in Dorchester; provided further, that not less than \$200,000 shall be expended for Bay State Games; provided further, that not less than \$100,000 shall be expended for LuminArtz for the design, preparation and production of public art displays; provided further, that not less than \$200,000 shall be expended for the 11 Massachusetts visitor information centers; provided further, that not less than \$25,000 shall be expended for the renovation of the Old Rutland Fire House and Museum and to commemorate the 125th anniversary of the Rutland volunteer fire brigade; provided further, that not less than \$90,000 shall be expended for a needs assessment for the intersections of Fuller street Chapin street and Cady street Fuller street in Ludlow; provided further, that not less than \$100,000 shall be expended for sidewalk rehabilitation in Ludlow; provided further, that not less than \$50,000 shall be expended for the Wilbraham Nature and Cultural Council; provided further, that not less than \$100,000 shall be expended for the New England public radio in Springfield; provided further, that not less than \$75,000 shall be expended for the Boston Landmarks Orchestra, Inc.; provided further, that not less than \$200,000 shall be expended for the Melrose center for the performing arts; provided further, that not less than \$125,000 shall be expended for improvements to the Americal civic center

in Wakefield; provided further, that not less than \$50,000 shall be expended for the West Medford community center; provided further, that not less than \$50,000 shall be expended for Old Sturbridge village; provided further, that not less than \$50,000 shall be expended for the Quaboag Valley Community Development Corporation; provided further, that not less than \$50,000 shall be expended for the acquisition of land known as the Sichel property in Holland; provided further, that not less than \$50,000 shall be expended for the WWII memorial pool in North Attleboro; provided further, that not less than \$50,000 shall be expended for the North Quabbin Chamber of Commerce, Inc. for workforce development; provided further, that not less than \$25,000 shall be expended for improvements of accessibility to Fitchburg city hall; provided further, that not less than \$30,000 shall be expended for economic development in Hanson; provided further, that not less than \$75,000 shall be expended for the Riverside Theatre Works, Inc.; provided further, that not less than \$25,000 shall be expended for the Menino arts center; provided further, that not less than \$75,000 shall be expended for the Waltham Tourism Council, Inc.; provided further, that not less than \$20,000 shall be expended to the town of Sandwich for the purpose of establishing seasonal artist shanties within the town; provided however, that prior to the disbursement of funds by the town of Sandwich, the Glass Town cultural district, Sandwich Arts Alliance, Inc., Sandwich Chamber of Commerce, Inc., and the Sandwich economic initiative corporation shall unanimously approve plans for the management and operation of the shanties effective for not less than 2 years; provided further, that not less than \$25,000 shall be expended for a celebration of West Newbury; provided further, that not less than \$25,000 shall be expended for the construction and implementation of the Samuel Slater Museum in the town of Webster; provided further, that not less than \$50,000 shall be expended for improvements to the Fino Field pool in Milford; provided further, that not less than \$100,000 shall be expended for homelessness due to natural disasters in West Springfield; provided further, that not less than \$50,000 shall be expended for the stabilization and preservation of Bagg hall and the town hall annex in Princeton; provided further, that not less than \$25,000 shall be expended for the friends of West Springfield parks and recreation; provided further, that not less than \$50,000 shall be expended for the Merrimack Valley Chamber of Commerce; provided further, that not less than \$250,000 shall be expended for the Presentation school foundation community center in Brighton; provided further, that not less than \$75,000 shall be expended for Hoop Hall Assists; provided further, that not less than \$50,000 shall be expended for the creation of the Punto Urban Art Museum shop and gallery; provided further, that not less than \$90,000 shall be expended for the Russian Community Association of Massachusetts, Inc.; provided further, that not less than \$30,000 shall be expended for the

Puerto Rican parade in Springfield; provided further, that not less than \$200,000 shall be expended to support the operation of the Eureka program in the Holyoke, Lynn and Worcester chapters of Girls Inc.; provided further, that not less than \$50,000 shall be expended for maintenance to the Jason Russell house and the Smith museum; provided further, that not less than \$60,000 shall be expended for the Ezra Schwartz memorial pavilion in Sharon; provided further, that not less than \$100,000 shall be expended for the restoration of State Theatre in Stoughton; provided further, that not less than \$100,000 shall be expended for From the Top radio programming; provided further, that not less than \$50,000 shall be expended for Plymouth 400, Inc. for the commemoration of a 400th anniversary in Massachusetts; provided further, that not less than \$75,000 shall be expended for the Endicott Community Greenhouse, Inc.; provided further, that not less than \$75,000 shall be expended for the restoration and relocation of the historical Blue Hart tavern in Westwood; provided further, that not less than \$250,000 shall be expended for Outside the Box in Boston; provided further, that not less than \$100,000 shall be expended for Quincy Asian Resources, Inc.; provided further, that not less than \$50,000 shall be expended for the Germantown neighborhood center in Quincy; provided further, that not less than \$75,000 shall be expended for the Quincy housing authority; provided further, that not less than \$25,000 shall be expended for local tourism initiatives in Westfield; provided further, that not less than \$60,000 shall be expended for the revitalization of downtown Methuen; provided further, that not less than \$150,000 shall be expended for the construction of bathroom facilities at Frasca field in Tewksbury; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts sports commission; provided further, that not less than \$25,000 shall be expended for the Greater Haverhill Chamber of Commerce; provided further, that not less than \$150,000 shall be expended for a clean energy economic development grant program in Springfield; provided further, that not less than \$150,000 shall be expended for the Women's Suffrage Celebration Coalition of Massachusetts, Inc.; provided further, that not less than \$175,000 shall be expended for a child safety program in North Reading; provided further, that not less than \$80,000 shall be expended for youth programs at Dennison Memorial Community Center, Inc. in New Bedford; provided further, that not less than \$25,000 shall be expended for a training apprenticeship program for students ages 8 to 21 interested in theatrical performance, design, management and the allied arts of theatre; provided further, that not less than \$100,000 shall be expended for production at Zeiterion performing arts center in New Bedford; provided further, that not less than \$50,000 shall be expended for the Frederick Douglass house in New Bedford; provided further, that not less than \$75,000 shall be expended for AHA! Art, History &

Architecture in New Bedford to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the greater New Bedford area; provided further, that not less than \$100,000 shall be expended for the Danforth museum and art school project at Framingham State University; provided further, that notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation; and provided further, that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws.....\$5,665,000”; and

By inserting after section 32F (inserted by amendment) the following two sections:

“SECTION 32G. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall transfer the surplus, not to exceed \$5,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws.

SECTION 32H. Grants allocated to Regional Tourism Councils through the Tourism Trust Fund shall be distributed by September 1st of the fiscal year in which they are allocated.”.

After debate on the question on adoption the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 344 in Supplement.]

Therefore the consolidated amendments (labor and economic development) were adopted.

Consolidated amendments adopted,—yea and nay No. 344.

Emergency Measure.

There being no objection,— The engrossed Bill providing for the financing of certain improvements to municipal roads and bridges (see House, No. 4449), 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.

Municipal roads and bridges.

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 33 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted (state loan),—yea and nay No. 345.

[See Ye and Nay No. 345 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Mr. Petrolati of Ludlow in the Chair,—

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4400, amended), was considered.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Sánchez of Boston and other members of the House then moved to amend it in section 2, in item 0321-1600, in line 12 (as amended), by inserting after the word “representation” the following: “; provided further, that no less than \$40,000 shall be allocated to the Quintana Center Immigration Legal Clinic to provide pro-bono immigration legal services to clients”; and in said item by striking out the figures: “20,750,000” and inserting in place thereof the following figures: “20,790,000”;

In item 0940-0101, in line 3, by inserting after the year: “2019” the words “and prior fiscal years”;

In item 1102-3309 by striking out the figures: “2,835,396” and inserting in place thereof the figures: “2,899,396”;

By inserting after said item 1102-3309 the following item:
“1102-3400 For security operations at the bureau of the state house.....\$100,000”;

In item 1410-1616 (as amended) by adding the following: “; provided, that not less than \$15,000 shall be expended for the installation of the War Memorial in the Town of Manchester-by-the-Sea”; and in said item by striking out the figures: “280,000” and inserting in place thereof the figures: “295,000”;

In item 1599-0026 (inserted by amendment) by inserting after the words “multiple school districts” the following: “; provided further, that not less than \$50,000 shall be expended for the town of Worthington to conduct a comprehensive capital needs study for town-owned buildings”; and in said item by striking out the figures: “4,845,000” and inserting in place thereof the figures: “4,895,000”;

In item 2200-0100 by inserting after the words “improvements in Falmouth” (inserted by amendment) the following words: “; provided further, that not less than \$50,000 shall be expended by the Buzzards Bay Coalition for a coastal water quality and natural resource monitoring program in Buzzards Bay and Vineyard Sound”; and in said item by striking out the figures: “29,055,000” and inserting in place thereof the figures: “29,105,000”;

In item 2330-0100 (as amended) by striking out the words “the State Marine Genomics Program” and inserting in place thereof the words “the establishment, coordination, and operation of a state marine genomics program through the Gloucester Marine Genomics Institute, Incorporated in cooperation with the University of Massachusetts at Amherst Marine Station Gloucester and the department of marine fisheries”;

In item 2800-0700 (as amended), in line 6, by inserting after the word “safety” the following: “; provided further, that not less than \$100,000 shall be expended for the Friends of Leverett Pond for the repair, design, permitting and construction of the Leverett Pond dam”; and in said item by striking out the figures: “670,361” and inserting in place thereof the figures: “770,361”;

In item 2810-0122 (inserted by amendment) by inserting after the words “Neponset Greenway” the following: “in Mattapan; provided further, that not less than \$100,000 shall be expended for the Blue Hill Observatory and Science Center”; by striking out the following: “provided further, that not less than \$200,000 shall be expended for a new veterans park in Lowell” and inserting in place thereof the

following: “provided further, that not less than \$250,000 shall be expended for a new veterans park in Lowell”; by inserting the following words “; and provided further, that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws”; and in said item, as amended, by striking out the figures: “2,370,000” and inserting in place thereof the figures: “2,520,000”;

In item 3000-7050 by striking out the figures: “100,000” (inserted by amendment) and inserting in place thereof the figures: “200,000”; and in said item by striking out the figures: “13,542,000” and inserting in place thereof the figures: “13,742,000”;

In item 4000-0300, in lines 32 to 48, inclusive, by striking out the following: “provided further, that no expenditures, whether made by the executive office or another commonwealth entity, shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapters XIX or XXI, the MassHealth demonstration waiver under section 1115(a) of the Social Security Act, as codified at 42 U.S.C. section 1315(a) or the community first demonstration waiver under section 1115 of the Social Security Act, as codified at 42 U.S.C section 1315 except as required for: (a) the equivalent of MassHealth standard benefits for children under 21 years of age who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are 21 years of age or over; or (c) cost-containment efforts, the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days before making these expenditures;” and inserting in place thereof the following: “; provided further, that no expenditures, whether made by the executive office or another commonwealth entity, shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapters XIX or XXI, or the MassHealth demonstration waiver approved under section 1115(a) of the Social Security Act, as codified at 42 U.S.C. section 1315(a) act or the community first section 1115 demonstration waiver under section 1115 of the Social Security Act, as codified at 42 U.S.C section 1315, except as required for: (a) the administration of the executive office for the equivalent of MassHealth standard benefits for children under 21 years of age who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are 21 years of age or over; (c) for managed care capitation payments for any MassHealth members who are is a residents of an institutions for Mmental Ddiseases [sic] for more than 15 days in any calendar month, and otherwise as explicitly authorized; or (d) cost-containment efforts, the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days before making these expenditures”;

In item 4000-0500, in lines 2 to 5, inclusive, by striking out the words “primary care clinician, mental health and substance addiction plan or through a health maintenance organization under contract with the executive office of health and human services” and inserting in place thereof the words “managed care delivery systems, including a behavioral health contractor, the Primary Care Clinician Plan, Primary Care Accountable Care Organizations, MassHealth managed care organizations, and Accountable Care Partnership Plans”;

In item 4000-0641, in lines 18 to 22, inclusive, by striking out the words “;

provided further, that not later than January 30, 2019, MassHealth shall report to the house and senate ways and means committees an analysis of the impact on the wages for direct care workers at the nursing homes receiving said funds”;

In item 4000-0700, in line 13, by striking out the word “family” and inserting in place thereof the word “household”; in lines 32 to 37, inclusive, by striking out the following: “to provide an additional 5 percent to its inpatient adjudicated payment amount per discharge and an additional 5 percent to its outpatient adjudicated payment amount per episode of care to any acute care hospital that has greater than 63 percent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services” and inserting in place thereof the following: “in the aggregate for acute care hospitals that have greater than 63 percent of their gross patient service revenue from governmental payers and free care as determined by the executive office”;

In item 4000-0940, in line 4, by striking out the word “family” and inserting in place thereof the word “household”;

In item 4000-0990, in lines 2 and 3, by striking out the words “children’s medical security plan to provide primary and preventive health services for uninsured children from birth to age 18” and inserting in place thereof the words “executive office of health and human services to expend for the children’s medical security plan to provide health services for uninsured children from birth through age 18”; and in said item, in line 13 and also in lines 14 and 15, by striking out the words “the maximum benefit levels for”;

In item 4512-0205 (inserted by amendment) by striking out the following: “\$100,000 shall be expended to the town of Braintree” and inserting in place thereof the following: “\$150,000 shall be expended to the town of Braintree”; in said item by adding the following: “; provided further that, notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation; and provided further, that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws”; and in said item by striking out the figures: “2,345,000” and inserting in the place thereof the figures: “2,395,000”;

In item 4513-1130, in line 13, by inserting after the word “families”, the second time it appears, the following: “; and provided further, that not less than \$300,000 shall be expended equally to the 17 rape crisis center regions in addition to what is received currently under fiscal year 2018 contract with the Department of Public Health”;

In item 4800-0038, in line 14, by inserting after the word “costs” the following: “; provided further, that not less than \$300,000 shall be expended on the Children’s Advocacy Center of Bristol County”;

In item 5920-5000 by adding the following: “; and provided further, that not less than \$110,000 shall be expended for WORK, Inc. to develop a program for individuals with disabilities to improve workforce development and employment opportunities”; and in said item by striking out the figures: “25,044,805” and inserting in the place thereof the figures: “25,154,805”;

In item 7004-0101 (as amended), in line 149, by inserting after the word “beds” the following: “; provided further that not less than \$200,000 shall be expended for the Home Works program; provided further, that the Home Works program shall provide opportunities for children in the emergency housing assistance program to attend out-of-school time and summer programming run by youth-serving organizations; provided further, that a youth-serving organization shall apply to contract with the department of housing and community development to receive

contract slots to serve children in the program; provided further, that youth-serving organizations shall obtain criminal offender record information for each staff member employed by the program with responsibilities that include direct care of children pursuant to section 172H of chapter 6 of the General Laws and sex offender registry information pursuant to section 178I of said chapter 6, as well as information that is publicly available from a registry of sex offender information that is operated or coordinated by the federal government”; and in said item by striking out the figures: “148,907,614” and inserting in the place thereof the figures: “149,107,614”;

In item 7004-0107 (inserted by amendment) by adding the words: “; provided further that, notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation; and provided further, that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws”;

In item 7004-0202, in line 3, by striking out the word “shelters” and inserting in place thereof the words “direct service providers”;

In item 7008-1116 (inserted by amendment) by inserting, after the word “Tewksbury”, the following: “; provided further, that not less than the amount appropriated in item 7007-0800 in section 2 in chapter 139 of the acts of 2012 shall be expended for the Winthrop and Revere chambers of commerce; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Revere; provided further, that not less than \$150,000 shall be expended for the Latina Circle; provided further, that not less than \$25,000 shall be expended for the Roslindale Village Main Streets for wayfinding and placemaking in Roslindale Village; provided further, that not less than \$150,000 shall be expended for the Hyde Square Task Force; provided further, that not less than \$150,000 shall be expended for Spontaneous Celebrations in Jamaica Plain; provided further, that not less than \$100,000 shall be expended for the Roslindale Gateway Path; provided further, that not less than \$50,000 shall be expended for the Mission Hill LINK shuttle bus service; provided further, that not less than \$50,000 shall be expended for the Puerto Rican Veterans Memorial in the South End neighborhood of Boston; provided further, that not less than \$150,000 shall be expended for Sociedad Latina; provided further, that not less than \$150,000 shall be expended for RealKidz Boston; provided further, that not less than \$35,000 shall be expended for the development and operation of a Boston history online database at the Boston Public Library; provided further, that not less than \$50,000 shall be expended for the Mildred C. Hailey Community Youth Leadership Institute; provided further, that not less than \$200,000 shall be expended for the Big Sister Association of Greater Boston; provided further, that not less than \$100,000 shall be expended for the Roslindale Community Center; provided further, that not less than \$20,000 shall be expended for the Kids Clothes Club in Brookline; provided further, that not less than \$300,000 shall be expended for improvements on the intersection of Walter Street and Centre Street in Roslindale; provided further, that not less than \$50,000 shall be expended for the Loring Greenough House in Jamaica Plain; provided further, that not less than \$50,000 shall be expended for Footlight Club in Boston; provided further, that not less than \$10,000 shall be expended for the commemoration of the town of Shelburne’s 250th anniversary celebration; provided further, that not less than \$150,000 shall be expended for the Greater Boston Latino

Network; provided further, that not less than \$50,000 shall be expended for the ABCD Parker Hill Fenway; provided further, that not less than \$50,000 shall be expended for the elderly program at the Roxbury Tenants of Harvard; provided further, that not less than \$100,000 shall be expended for the Eliot School in Boston; provided further, that not less than \$10,000 shall be expended for the commemoration of the town of Worthington's 250th anniversary celebration"; and in said item by striking out the figures: "5,665,000" and inserting in place thereof the figures: "8,365,000";

In item 7010-1192 (inserted by amendment) by inserting after the word "Tewksbury" the following: "; provided further, that not less than \$75,000 shall be expended for the North Reading Public Schools' 1:1 Initiative school technology grant; provided further, that not less than \$60,000 shall be expended to the Town of Wrentham and allocated equally amongst the King Philip Regional, Norfolk, Plainville, and Wrentham School Districts"; and in said item by striking out the figures: "1,210,000" and inserting in place thereof the figures: "1,345,000";

By inserting after item 7035-0006 the following item:

"7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools and collaboratives for certain expenditures for transportation of nonresident pupils to approved vocational-technical programs of any regional or county agricultural school district, city, town, independent school or collaborative under section 8A of chapter 74 of the General Laws; provided, that if the amount appropriated is insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be prorated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools and collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A of said chapter 74, the department shall, within 10 days, notify the secretary of administration and finance, the joint committee on education and the house and senate committees on ways and means of the amount needed to fully fund the obligation.....\$250,000";

In item 7061-0008, in lines 4 to 11, inclusive, by striking out the following: "provided, that these funds shall be distributed by the department not later than September 1, 2018; and provided further, that the department shall submit to the house and senate committees on ways and means not later than September 1, 2018 its further recommendations for additional adjustments to the chapter 70 foundation budget calculation for fiscal years 2020 and beyond to continue improving the accuracy and equity of the low-income component" and inserting in place thereof the following: "provided, that the department shall submit to the house and senate committees on ways and means not later than September 1, 2018 its further recommendations for additional adjustments to the chapter 70 foundation budget calculation for fiscal years 2020 and beyond to continue improving the accuracy and equity of the low-income component";

In item 7061-0011, in line 18, by inserting after the word "chapter" the following: "; provided, that funds from this item shall be distributed by the department not later than September 1, 2018";

In line item 7061-9611 (as amended), in line 27, by inserting after the word “months” the following: “; provided further, that not less than \$100,000 shall be expended for the operation of a pilot data-sharing program designed to provide school districts with funds to partner with local community-based organizations and share identifiable student data to the extent allowed by law; provided further, that the pilot program shall be for not more than 3 years; provided further, that the afterschool and out-of-school time coordinating council shall recommend funds to 2 school districts for the pilot program; provided further, that the afterschool and out-of-school time coordinating council shall conduct quantitative and qualitative analysis on the pilot data sharing program; provided further, that the Massachusetts afterschool and out-of-school time coordinating council shall file a report on the effects of the pilot program on students participating in the programs partnered with the school districts with the clerks of the senate and the house of representatives and the chairs of the senate and house committees on ways and means not later than December 31, 2019”; and in said item by striking out the figures: “3,021,923” and inserting in place thereof the figures: “3,121,923”;

In item 7077-0023 by striking out the figures: “4,000,000” and inserting in place thereof the figures: “5,500,000”;

In item 7100-0200 by adding the following: “; and provided further, that \$250,000 shall be expended to fund completion of final construction bid-ready design plans for the improvements to UMass-Amherst Cranberry Station provided for in line item 7100-3002 in section 2A of chapter 286 of the acts of 2014”; and in said item by striking out the figures: “518,667,080” and inserting in place thereof the figures: “518,917,080”;

By inserting after item 7509-0100 the following item:

“7509-0101 For the Senator Stephen M. Brewer Center for Civic Learning and Community Engagement at Mount Wachusett Community College to increase service learning and volunteerism in north central Massachusetts, to support the development of a food pantry and other emergency services for students at risk of dropping out due to financial circumstances, for deliberative dialogues within the community addressing issues of concern within society and for programmatic development, updates and technologies within the center..... \$100,000”;

In item 8000-0313 (inserted by amendment) by inserting after the word “Wakefield” the following: “provided further, that not less than \$25,000 shall be expended for a public safety grant in the town of Reading; provided further, that not less than \$50,000 shall be expended for a feasibility study for a public safety building in the town of Ashby; provided further, that not less than \$50,000 shall be expended to the town of Millbury for public safety improvements; provided further, that not less than \$50,000 shall be expended for the repairs to the embankment of the Bridge Street Bridge in the town of Bridgewater; provided further, that not less than \$50,000 shall be expended for emergency roadway repairs in the town of Raynham; provided further, that not less than \$100,000 shall be expended for public safety improvements in the town of Ipswich; provided further, that not less than \$100,000 shall be expended for public safety improvements in the town of Hamilton”; by striking out the following: “provided further, that not less than \$30,000 shall be expended for Route 6 improvements in Wellfleet, Truro, and Provincetown” and inserting in place thereof the following: “provided further, that \$30,000 shall be expended to the police department in the town of Eastham to be used in conjunction with the towns of Wellfleet, Truro and Provincetown to address

the traffic safety issues on United States highway route 6 from the rotary in the town of Orleans to the town of Provincetown”; by striking out the following: “provided further, that not less than \$10,000 shall be expended for public safety improvements in Auburn” and inserting in place thereof the following: “provided further, that not less than \$25,000 shall be expended for public safety improvements in Auburn”; by adding the words “; and provided further, that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws”; and in said item by striking out the figures: “1,485,000” and inserting in place thereof the figures: “1,925,000”;

In item 8324-0000 (as amended) by striking out the following: “fiscal year 2018” and inserting in place thereof the following: “fiscal year 2019; provided further, that not less than \$50,000 shall be expended for the purchase of a battery operated ‘Jaws of Life’ for the Fire Department in the Town of Saugus”; and in said item by striking out the figures: “23,150,522” and inserting in place thereof the figures: “23,200,522”;

In item 9110-1455, in line 2, by inserting after the word “Laws” the following: “and for the operations of the consolidated MassOptions, prescription advantage and 800-age-info customer service centers”;

In section 2E by striking out item 1595-1068 and inserting in place thereof the following item:

“1595-1068 For an operating transfer to the MassHealth provider payment account in the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws; provided, that these funds shall be expended for services provided during state or federal fiscal year 2018 or 2019 or for public hospital transformation and incentive initiative payments for state fiscal year 2018 or 2019 or for Medicaid care organization payments under 42 CFR 438.6(c) for rate year 2018 or 2019; provided further, that all payments from the Medical Assistance Trust Fund shall be: (a) subject to the availability of federal financial participation; (b) made only under federally-approved payment methods; (c) consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services; and (d) subject to the terms and conditions of an agreement with the executive office of health and human services; provided further, that the secretary of health and human services shall notify, in writing, the house and senate committees on ways and means and the joint committee on health care financing of increases or decreases in any payments made within the term of the current 1115 waiver or other state plan amendments within 15 days; and provided further, that the secretary of health and human services shall utilize funds from the Medical Assistance Trust Fund to make payments of up to \$443,750,000 to the Cambridge public health commission or to Medicaid care organizations for payment to the Cambridge public health commission if the Cambridge public health commission, in anticipation of receiving such payments, first voluntarily transfers an amount equal to the non-federal share of such payments to the Medical Assistance Trust Fund using a federally-permissible source of funds.....\$452,450,000”;

By striking out item 1595-1075 and inserting in place thereof the following

item:

“1595-1075 For an operating transfer to the Workforce Competitiveness Trust Fund established in section 2WWW of chapter 29 of the General Laws.....\$1,000,000”;

In section 13A (inserted by amendment) by inserting after the words “on behalf of the program.” the following sentence: “For the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.”;

By inserting after section 30 the following section:

“SECTION 30A. (a) There shall be a special commission established pursuant to section 2A of chapter 4 of the General Laws to study and make recommendations to improve efficiencies relative to transportation for the following: students attending regional schools; students in special education out of district placements; students attending out of district vocational and technical schools; and students attending out of district agricultural schools; and any other student transportation the commission deems appropriate.

The commission shall consist of 1 member who shall be appointed by the senate president, who shall serve as co-chair; 1 member who shall be appointed by the minority leader of the senate; 1 member who shall be appointed by the speaker of the house of representatives, who shall serve as co-chair; 1 member who shall be appointed by the minority leader of the house of representatives; 1 person who shall be appointed by the secretary of education; 1 person who shall be appointed by the commissioner of elementary and secondary education and 5 persons who shall be appointed by the governor, 1 of whom shall be a representative of the Massachusetts Association of Regional Schools, Inc., 1 of whom shall be a representative of the Massachusetts Association of School Committees, 1 of whom shall be a representative of the Massachusetts Association of School Business Officials, Inc., 1 of whom shall be a representative of the Massachusetts Association of School Superintendents, and 1 of whom shall be a representative of Massachusetts Association of Special Education Administrators. Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The commissioner of elementary and secondary education may furnish reasonable staff and other support for the work of the commission.

(b) The commission shall study and report on: (i) a review of methods districts use to transport said students, including current costs and bid processes in procuring transportation; (ii) a budget assessment for said costs; and (iii) recommendations for improving transportation services. The commission, in formulating its recommendations, shall take into account the best policies and practices in other states. The commission shall hold at least 5 public meetings and may hold hearings and other forums as it considers necessary.

(c) The commission shall file its report and recommendations with the clerks of the senate and the house of representatives who shall forward the same to the senate and house chairs of the joint committee on education not later than December 1, 2019.”;

In section 35A (inserted by amendment) by striking out the following: “and (iv)” and inserting in place thereof the following: “or (iv)”;

By adding the following two sections:

“SECTION 74. Section 16 shall take effect on January 1, 2019.

SECTION 75. Except as otherwise specified, this act shall take effect as of July 1, 2018.”.

The amendments were adopted.

Pending the question on passing the bill, as amended to be engrossed, Mr. O’Day of West Boylston asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

[See Yea and Nay No. 346 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. Silvia of Fall River was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

The Speaker being in the Chair,—

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 150 members voted in the affirmative and 4 in the negative.

[See Yea and Nay No. 347 in Supplement.]

Therefore the bill (House, No. 4401, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Hunt of Boston,—

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

Speaker DeLeo and all other members of the House then moved that when the House adjourns today, it do so in respect to the memory of James R. Miceli, a member of the House from Wilmington from 1977 to 2018, inclusive; and the motion prevailed.

Accordingly, at twenty-five minutes before seven o’clock P.M. (Thursday, April 26, 2018), on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.

Quorum.

Quorum,—
yea and nay
No. 346.

Statement of
Mr. Silvia
of Fall River.

Bill passed to
be engrossed,—
yea and nay
No. 347.

Next
sitting.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, APRIL 30, 2018.

[45]

JOURNAL OF THE HOUSE.

Monday, April 30, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Generosity and Concern, we ask Your blessing today upon the membership of this House chamber and the many staff who work within these walls.

Prayer.

We are grateful for the spirit of generosity and philanthropy that has been a trademark of our commonwealth.

We remember today marks the 150th anniversary of the renaming of the old Essex town of South Danvers.

Peabody is named after native son George Peabody. Growing up in poverty, George Peabody became a great financier in this country and in the United Kingdom.

Becoming a city in 1916, Peabody's high school name is the Tanners, developed from the history of tanneries that once dominated the downtown area.

We pray for 12th Essex Representative Thomas Walsh and 13th Essex Representative Theodore Speliotis.

May God continue to bless our Commonwealth.

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.

Statement Concerning Representative Walsh of Framingham.

A statement of Mr. Rushing of Boston concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber last week due to treatment at Dana Farber, which did not permit him to be present for the sessions of Monday, Tuesday, Wednesday and Thursday.

Statement concerning Mr. Walsh of Framingham.

On April 23rd, 2018. During the formal session:

- The House voted to suspend Rule 1A, allowing the House to meet until midnight.
- The House voted to reject Amendment 31 Regional School Transportation – Appropriation Increase to look at regional school transportation.
- The House voted to adopt the consolidated amendment relative to Education and Local Aid.

Had he been able to vote, he would have voted YES on the suspension of Rule 1A and the adoption of the consolidated amendment 'A' and NO to reject

Amendment #31.

On April 24th, 2018. During the formal session:

- The House voted to adopt the consolidated amendment ‘B’ relative to Energy & Environment.
- The House voted to adopt the consolidated amendment ‘C’ relative to Social Services & Veterans.
- The House voted to adopt amendment 733 regarding the ‘Representative Gailanne M. Cariddi Visitor Center at Mt. Greylock State Reservation’.
- The House voted to adopt the consolidated amendment ‘D’ relative to Health & Human Services and Elder Affairs.

Had he been able to vote, he would have voted YES on these four roll calls.

On April 25th, 2018. During the formal session:

- The House voted to adopt the consolidated amendment ‘E’ relative to Judiciary and Public Safety.
- The House voted to reject amendment 347 ‘An Act to clarify the jurisdiction of law enforcement officials on immigration issues’
- The House voted to adopt amendment 227 ‘An amendment regarding sanctuary cities and towns’ as amended.
- The House voted on the suspension of Rule 1A allowing the House to meet past 9 pm.
- The House voted to adopt consolidated amendment ‘F’ relative to Housing, Mental Health and Disability Services.
- The House voted to adopt the consolidated amendment ‘G’ relative to Public Health.

Had he been able to vote, he would have voted YES on the roll calls to adopt the consolidated amendments, on amendment 227, and the suspension of Rule 1A. He would have voted NO on amendment 347.

On April 26th, 2018. During the formal session:

- The House voted to adopt the consolidated amendment ‘H’ relative to Constitutional Officers, State Administration and Transportation.
- The House voted to adopt amendment 1248 regarding Conservation Land Tax Incentives.
- The House voted to adopt amendment 908 regarding Massachusetts procedures for missing and abducted children
- The House voted to adopt the consolidated amendment ‘I’ relative to Labor and Economic Development.
- The House voted on House Bill 4449 An Act Financing Improvements to Municipal Roads and Bridges.
- The House voted on House Bill 4400 An Act Making Appropriations for the Fiscal Year 2019 for the Maintenance of the Departments, Boards, Commissions, Institutions, and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.

Had he been able to vote, he would have voted YES on the adoption of the consolidated amendments, on the amendments, on House Bill 4449 and on House Bill 4400.

His missing of roll calls last week was due entirely to the reason stated.

Resolutions.

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

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Emily Wen on receiving the Gold Award of the Girl Scouts of the United States of America;

Emily
Wen.

Resolutions (filed by Mr. McMurtry of Dedham) honoring F. Timothy Hegarty, Jr. for his outstanding philanthropical contributions to the town of Dedham; and

F. Timothy
Hegarty.

Resolutions (filed by Representatives Sánchez of Boston and Malia of Boston) celebrating forty years of Boston's Wake Up the Earth Festival;

Wake Up the
Earth Festival.

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. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Friday, June 22, 2018 within which time to make its final report on current Senate document numbered 2390, and House document numbered 4378.

Education
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4414), ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend it by striking out the date "Friday, June 22" and inserting in place thereof the date "Tuesday, May 15". The amendment was adopted.

The order (House, No. 4414, amended) then also was adopted. Sent to the Senate for concurrence.

Petition.

Representative Vincent of Revere and Senator Boncore presented a joint petition (accompanied by bill, House, No. 4458) of RoseLee Vincent and Joseph A. Boncore (with the approval of the mayor and city council) that the city of Revere be authorized to establish penalties and liens for certain water meter ordinance violations; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Revere,—
ordinance
violations.

Papers from the Senate.

A Bill relative to student loan debt and professional licensure (Senate, No. 2266) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Licensing,—
student loan
defaulters.

UNCORRECTED PROOF.

A Bill further regulating the Commission on Falls Prevention (Senate, No. 1208) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Falls Prevention
Commission,—
membership.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2504) of Richard Tomczyk for legislation relative to the photocopying, scanning or retaining of identification by private establishments. To the committee on Consumer Protection and Professional Licensure.

Identification,—
access.

Petition (accompanied by bill, Senate, No. 2505) of Debra Puccio for legislation relative to the requirement to disclose mental health issues to the registrar. To the committee on Transportation.

Mental
health,—
disclosure.

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 Diana DiZoglio, Bruce J. Ayers and Brian M. Ashe relative to the online advertising of pet care services. To the committee on Consumer Protection and Professional Licensure.

Pet care,—
advertising.

Petition (accompanied by bill) of Diana DiZoglio and others that the Department of Public Health be authorized to establish a task force to investigate best practices for alcohol and drug free housing. To the committee on Mental Health, Substance Use and Recovery.

Sober
homes.

Petition (accompanied by bill) of Diana DiZoglio relative to products used on newborn infants. To the committee on Public Health.

Infant
products.

Petition (accompanied by bill) of Sarah K. Peake relative to the Cape Cod Regional Transit Authority and the Southeastern Regional Transit Authority. To the committee on Transportation.

Transit
authorities.

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

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

Senate bills

Validating certain proceedings of the town of Hull (printed in Senate, No. 2157); and

Hull,—
town meeting.

Authorizing the town of Westport to grant 1 additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2303) [Local Approval Received]; and

Westport,—
liquor license.

House bills

Authorizing veterans to use facilities of the Pioneer Valley Transit Authority without cost to such veterans (House, No. 1944);

Pioneer Valley
Transit Authority.

Authorizing the town of Norfolk to convey certain land on Priscilla Avenue (House, No. 4148) [Local Approval Received];

Norfolk,—
land.

To establish a public art fund in the town of Amherst (House, No. 4163) [Local Approval Received];

Amherst,—
art commission.

UNCORRECTED PROOF.

[sic] The boardwalk at Heritage State Park in the city of Fall River shall be designated and known as the Robert Correia Boardwalk, in honor of former State Representative Robert Correia (House, No. 4166);

Fall River,—
Correia
boardwalk.

Authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of Clause 41C½ of Section 5 Chapter 59 of the Massachusetts General Laws (House, No. 4249) [Local Approval Received];

Newburyport,—
election.

Repealing a certain act increasing the expenditure limit on revolving funds in the city of Attleboro (House, No. 4299) [Local Approval Received];

Attleboro,—
funds.

Authorizing the town of Falmouth to transfer a parcel of land commonly known as the Farley Bog (House, No. 4341) [Local Approval Received];

Falmouth,—
land.

To allow for school districts to collect a fee associated with nonresident pupil transportation (House, No. 4392);

Schools,—
transportation.

Authorizing the town of Holliston to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4431) [Local Approval Received]; and

Holliston,—
liquor license.

Requiring reserve electric power at wastewater treatment facilities (House, No. 4434);

Wastewater
facilities.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following bills be scheduled for consideration by the House:

Senate bills

Relative to the charter of the town of Sutton (Senate, No. 1131, amended) [Local Approval Received]; and

Sutton,—
charter.

Relative to the appointment of retired police officers in the town of Essex (Senate, No. 2271); and

Essex,—
police.

House bills

Relative to the retirement classification of Boston school police officers (House, No. 1363) [Local Approval Received]; and

Boston,—
police.

Relative to protecting the rights of custodial and other non-teaching employees of school districts (House, No. 1390);

School
employees,—
rights.

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

By Mr. Galvin of Canton, for the committee on Rules, that the Bill relative to the conservation of Atlantic striped bass (House, No. 4274), ought to pass.

Atlantic
striped bass.

By the same member, for the committees on Rules of the two branches, acting concurrently, that the Bill building for the future of the Commonwealth (House, No. 4397), ought to pass.

Building
codes.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 2379 and House, Nos. 4266, 4318 and 4321, a Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438). Read; and referred, under Rule 17G, to the committee on Bonding,

Climate
change.

UNCORRECTED PROOF.

Capital Expenditures and State Assets.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 2662, a Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the town of Southborough (House, No. 4439). Read; and referred, under Rule 33, to the committee on Ways and Means.

Southborough,—
land.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the exchange of a parcel of land located on the Lenox/Richmond town line, owned by the town of Lenox with two parcels of land in Lenox, located on West Mountain Road and West Dugway Road (House, No. 4411) [Local Approval Received].

Lenox,—
land.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (House, No. 4450).

Paula
Donahue,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Audrey Art, an employee of the department of children and families (House, No. 4451).

Audrey Art,—
sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Paul Walsh, an employee of the Department of Corrections [sic] (House, No. 4452).

Paul
Walsh,—
sick leave.

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

Engrossed Bill and Resolve.

The engrossed Bill authorizing the treasurer of Plymouth County to transfer certain funds (see House, No. 4034) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Resolve reviving and continuing the special commission studying cutting, welding and hot work processes regulated by the State Fire Code (see House, No. 4098, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

Resolve
passed.

Orders of the Day.

The House Bill relative to counterfeit airbag prohibition (House, No. 4051), 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. Sent to the Senate for concurrence.

Counterfeit
airbags.

The House Bill authorizing the town of Danvers to grant 10 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3982) (its title having been changed by the committee on Bills in the Third

Danvers,—
liquor
license.

UNCORRECTED PROOF.

Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4459), 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. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 3, 2018.

[46]

JOURNAL OF THE HOUSE.

Thursday, May 3, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Hope and Consolation, we pray yet again for one of our Chamber's elected officials who has died, 5th Middlesex Representative Chris Walsh of Framingham.

We take a moment of silence to remember Representative Walsh.

May God watch over this servant of the Commonwealth as well as his wife Cindy, his children, his staff, co-workers, friends and fellow representatives.

Amen.

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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the cast, crew and directors from the Sharon High School Theater Company, one of the winners of the 2018 Massachusetts Educational Theater Guild's High School Festival. The Company beat out 111 other shows to capture Sharon's first state title in fourteen years. The Company was led by directors Aaron Waiter, Beth Reardon and Sandra Dennis, who will be retiring after 28 years of running the company. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Kafka of Stoughton.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, seventh grade students from the St. Francis Xavier School in Weymouth. The students, including Tyler Engren, the nephew of Mr. Murphy of Weymouth, were accompanied by their teachers Richard Kelly and Debbie Hayden. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Murphy and also of Senator O'Connor.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, a show choir called Impressions from Webster. Impressions has received three grand champion trophies this year. They were the guests of Mr. McKenna of Webster and also of Senator Fattman.

Prayer.

Pledge of
allegiance.

Sharon High
School Theater
Company.

Weymouth,—
St. Francis
Xavier School.

Webster,—
Impressions
show choir.

Orders.

The following order (filed by Ms. Cronin of Easton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Wednesday, June 6, 2018 within which time to make its final report on current House documents numbered 2274, 3093 and 4310.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4453), ought to be adopted. Under suspension of the rules, on motion of Ms. Cronin of Easton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Judiciary committee,—
extension
of time for
reporting.

The following order (filed by Mr. Brodeur of Melrose) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Monday, July 2, 2018 within which time to make its final report on current Senate documents numbered 88, 1004, 1040 and 1048, and House documents numbered 1015, 1021, 1970, 2172, 2365, 3134, 3152, 3154 and 4058.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4460), ought to be adopted. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Labor and
Workforce
Development
committee,—
extension
of time for
reporting.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Thomas P. Kehoe on the occasion of his retirement;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Ryan Matthew Lynch on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Benjamin Quade on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Poirier of North Attleborough and other members of the House) congratulating Kathleen Garganta on her retirement from Bristol Community College;

Resolutions (filed by Mr. Kafka of Stoughton) honoring Lisa Kritz for her dedication to the youth of the Jewish community and for thirty years of service to Hertz Nursey School, Temple Israel Sharon;

Resolutions (filed by Mr. Sánchez of Boston) honoring Margaret Noces [sic] service to the neighborhood of Jamaica Plain;

Resolutions (filed by Mr. Smizik of Brookline) congratulating the third grade at the Edward Devotion School in Brookline on their participation in the thirty fourth annual John F. Kennedy Essay and Poetry Program;

Resolutions (filed by Representatives Whelan of Brewster and Peake of Provincetown) congratulating Peter Norton on his years of distinguished service to the town of Brewster; and

Resolutions (filed by Representatives Whelan of Brewster and Peake of

Thomas
Kehoe.

Ryan
Lynch.

Benjamin
Quade.

Kathleen
Garganta.

Lisa
Kritz.

Margaret
Noces.

Brookline,—
Edward
Devotion School.

Peter
Norton.

Cleon

Provincetown) congratulating Cleon H. Turner on his retirement;

Turner.

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

Communications.

Communications

From the Department of Public Health (see Section 232 of Chapter 111 of the General Laws) submitting 2015 data statistics of suicides in the Commonwealth; and

Suicide,—
statistics.

From the Department of Public Health (see Section 25A of Chapter 112 of the General Laws) submitting the annual report on Investigatory and Disciplinary Actions Conducted by the Board of Registration in Pharmacy for the calendar year 2017;

Pharmacy
board,—
investigations.

Report.

A quarterly report of the Department of Public Health (under Chapter 47 of the Acts of 2017) submitting the Early Intervention program report for the second quarter of fiscal year 2018, was placed on file.

Early
Intervention
program.

Petitions.

Representative O'Day of West Boylston and Senator Gobi presented a joint petition (subject to Joint Rule 12) of James J. O'Day and Anne M. Gobi for legislation to establish a sick leave bank for Maria Benitez, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the committee on Rules.

Maria
Benitez,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Ferguson of Holden and Senator Gobi, a joint petition (subject to Joint Rule 12) of Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Barbara Harrington, an employee of the Department of State Police.

Barbara
Harrington,—
sick leave.

By Mr. Smola of Warren, a petition (subject to Joint Rule 12) of Todd M. Smola and Anne M. Gobi for legislation to establish a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services.

Sandra Elizabeth
Smith,—
sick leave.

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

Papers from the Senate.

The House Bill removing fees for security freezes and disclosures of consumer credit reports (House, No. 4241), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2492; inserting before the enacting clause the following emergency preamble

Consumers,—
credit reports.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enhance forthwith the ability of consumers to protect their credit reports, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act relative to consumer protection from security breaches”.

Under suspension of Rule 35, on motion of Mr. Chan of Quincy, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Chan, Hunt of Boston and Hunt of Sandwich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendments, concurred with the House in the appointment of a committee of conference; and that Senators L’Italien, Keenan and Fattman had been joined as the committee on the part of the Senate.

Id.

The House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4382), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2493.

Supplemental
budget.

Under suspension of Rule 35, on motion of Mr. Sánchez of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Sánchez, Kulik of Worthington and Smola of Warren were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Spilka, Lovely and deMacedo had been joined as the committee on the part of the Senate.

Id.

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 Kay Khan, Marjorie C. Decker and others for legislation to prohibit police officers from engaging in sexual relations while on duty. To the committee on the Judiciary.

Police,—
sexual
relations.

Joint petition (accompanied by bill) of Jay R. Kaufman, Cindy F. Friedman and

Minuteman

UNCORRECTED PROOF.

others for legislation to authorize the Minuteman Regional Vocational Technical School District to lease certain land and buildings. To the committee on Municipalities and Regional Government.

School District,—
lease.

Petition (accompanied by bill) of Shawn Dooley relative to the veteran status of certain reservists. To the committee on Veterans and Federal Affairs.

Reservists,—
veterans status.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Audrey Art, an employee of the Department of Children and Families (House, No. 4451), be scheduled for consideration by the House.

Audrey Art,—
sick leave.

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

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

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

Senate bills

Increasing city of Gloucester parking fines (Senate, No. 2223) [Local Approval Received]; and

Gloucester,—
parking fines.

Further regulating the membership of the licensing commission and the board of election commissioners of the city of Somerville (Senate, No. 2294) [Local Approval Received]; and

Somerville,—
commissions.

House bills

Prohibiting robocalls to all mobile telephone devices (House, No. 201);

Robocalls.

Relative to used police cars sold at auction (House, No. 210);

Police cars.

Related to state fire code enforcement reporting (House, No. 1256);

Fire code.

Relative to seat belts on school buses (House, No. 1257);

School buses.

Authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (House, No. 4094);

Mohawk Trail
School District.

Providing for recall elections in the town of Erving (House, No. 4144) [Local Approval Received];

Erving,—
elections.

Exempting the position part-time officer [sic] in the police department in the town of Athol from the civil service law (House, No. 4146) [Local Approval Received];

Athol,—
police.

Authorizing the exchange of a parcel of land located on the Lenox/Richmond town line, owned by the town of Lenox with two parcels of land in Lenox, located on West Mountain Road and West Dugway Road (House, No. 4411) [Local Approval Received];

Lenox,—
land.

Authorizing the town of Brookline to grant 35 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and 5 additional licenses for the sale of wines and malts to be drunk on the premise [sic] (House, No. 4428) [Local Approval Received];

Brookline,—
liquor
licenses.

Establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (House, No. 4450); and

Paula Donahue,—
sick leave.

Establishing a sick leave bank for Paul Walsh, an employee of the Department

Paul Walsh,—

UNCORRECTED PROOF.

of Corrections [sic] (House, No. 4452);

sick leave.

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. Hogan of Stow, for the committee on Public Health, on Senate, Nos. 142 and 1169 and House, Nos. 2474 and 2820, a Bill to improve oral health for all Massachusetts residents (House, No. 4454). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Oral health.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 3928, a Bill establishing a special commission on adult guardianship and conservatorship practices (House, No. 4456). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Adult guardianship.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 2388 and House, No. 4300, a Bill relative to kosher food signage (House, No. 4461).

Kosher food.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, Nos. 948, 2330 and 3655, a Bill relative to transmitting indecent visual depictions by teens (House, No. 4455).

Indecent depictions.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to a Medford residential development easement (House, No. 4373, changed in section 1, in line 1, by striking out the figures: "34" and inserting in place thereof the figures: "32").

Medford,— residential development.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4340, a Bill authorizing the town of Montague to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4462) [Local Approval Received].

Montague,— liquor license.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill strengthening the penalty for assault or assault and battery on an emergency medical technician, ambulance operator, ambulance attendant or health care provider (House, No. 795).

First responders,— assault.

By the same member, for the same committee, on a petition, a Bill relative to the protection of persons with disabilities (House, No. 933).

Persons with disabilities.

By the same member, for the same committee, on a petition, a Bill relative to offenses while driving on a suspended license (House, No. 2307).

Suspended licenses.

By the same member, for the same committee, on House, No. 707, a Bill relative to speed limitations near waste or recycling collection vehicles (House, No. 4463).

Collection vehicles,— speed limits.

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

Emergency Measure.

The engrossed Bill designating a certain bridge in the towns of Hanson and Hanover as the Hon. Charles W. Mann bridge (see House, No. 3849, amended),

Honorable Charles W. Mann bridge.

UNCORRECTED PROOF.

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.

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 6 to 0. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill exempting Brian M. Belfiore from the civil service maximum age requirements for the position of firefighter in the city of Haverhill (House, No. 4186) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Haverhill,—
Brian
Belfiore.

The House Bill providing a charter for the city of Melrose (House, No. 4102), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Melrose,—
charter.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4464), 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. DeLeo of Winthrop,—

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

Next
sitting.

At half past eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 7, 2018.

[47]

JOURNAL OF THE HOUSE.

Monday, May 7, 2018.

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

Pledge of
allegiance.

Resolutions.

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

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Joseph Coleman Pariser on receiving the Eagle Award of the Boy Scouts of America;

Joseph
Pariser.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Kathryn Augustine on receiving the Gold Award from the Girl Scouts of America;

Kathryn
Augustine.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Elisabeth Eappen on receiving the Gold Award from the Girl Scouts of America;

Elisabeth
Eappen.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Danielle Simone Feinstein on receiving the Gold Award from the Girl Scouts of America;

Danielle
Feinstein.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Olivia Eve Fennell on receiving the Gold Award from the Girl Scouts of America;

Olivia
Fennell.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Sophie Claire Fennell on receiving the Gold Award from the Girl Scouts of America;

Sophie
Fennell.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Alina Hachigian on receiving the Gold Award from the Girl Scouts of America;

Alina
Hachigian.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Julia Jesurum on receiving the Gold Award from the Girl Scouts of America; and

Julia
Jesurum.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Amanda Margaret Mosher on receiving the Gold Award from the Girl Scouts of America;

Amanda
Mosher.

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. 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.

Order.

The following order (filed by Mr. Golden of Lowell) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Thursday, June 21, 2018 within which time to make its final report on current House documents

Telecommunication
s, Utilities
and Energy
committee,—

numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634, 3742, 4149, 4151, 4222 and 4324.

extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4457), ought to be adopted. Under suspension of the rules, on motion of Mr. Golden, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communication.

A communication from the Special Commission on School Library Services (see Section 236 of Chapter 165 of the Acts of 2014) submitting its findings and recommendations concerning equity and access for students in the Commonwealth, was placed on file.

School
libraries,—
services.

Reports

Reports

Of the Special Commission on Behavioral Health Promotion and Upstream Prevention (see Section 193 of Chapter 133 of the Acts of 2016) submitting a report entitled “A Plan to Promote Mental, Emotional, and Behavioral Health and to Prevent Behavioral Health Issues in our Commonwealth”; and

Behavioral
Health.

Of the Executive Office of Energy and Environmental Affairs (under Section 3 of Chapter 21I of the General Laws) relative to the Toxics Use Reduction Program activities and accomplishments for fiscal year 2017;

Toxics use
reduction.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Muratore of Plymouth and Senator deMacedo, a joint petition (accompanied by bill, House, No. 4477) of Mathew Muratore and Viriato M. deMacedo (by vote of the town) that the town of Plymouth be authorized to grant easements relative to the Obery Street roadway improvement project in said town. To the committee on Municipalities and Regional Government.

Plymouth,—
easements.

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 4478) of Angelo J. Puppolo, Jr., and others (with the approval of the mayor and city council) that the city of Springfield be authorized to use retired police officers of said city as special police officers for the purpose of performing certain police duties. To the committee on Public Service.

Springfield,—
police.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Fernandes of Falmouth, a petition (subject to Joint Rule 12) of Dylan Fernandes that the county commissioners of the county of Dukes County be authorized to raise and expend funds for certain costs of designing and constructing improvements to the Martha’s Vineyard Airport’s wastewater treatment facility.

Dukes County,—
wastewater
facility.

By Ms. Ferrante of Gloucester, a petition (subject to Joint Rule 12) of Ann-Margaret Ferrante and others for legislation to establish maritime commercial development tax credits.

Maritime
development,—
tax credits.

By Representative Muradian of Grafton and Senator Moore, a joint petition

Grafton,—

UNCORRECTED PROOF.

(subject to Joint Rule 12) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land at the former Grafton State Hospital to the town of Grafton.

land.

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

Papers from the Senate.

The engrossed Bill relative to the Garden of Peace (see Senate, No. 2372), came from the Senate with the endorsement that it had which had been returned to said branch by His Excellency the Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendment (for message, see Senate, No. 2480).

Garden
of Peace.

The bill bore the further endorsement that the Senate had adopted said amendment (in the form approved by the Senate committee on Bills in the Third Reading) as follows:

In line 5 by striking out the words “the existing balance held by” and inserting in place thereof the words “any monies authorized by a court to be transferred to the fund from”.

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

The House Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (House, No. 4354, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 4 inserting after the name “Parmenter” the words “to care for her child”.

Sara
Parmenter,—
sick leave.

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

Bills

Proclaiming May as aviation awareness month (Senate, No. 1717) (on a petition); and

Aviation
awareness.

Requiring the flag of the Commonwealth to be flown at half-staff on state buildings and installations on September 11 of each year (Senate, No. 1820) (on a petition);

State Flag,—
half-staff.

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 petition (accompanied by bill, Senate, No. 2507) of Anne M. Gobi and Todd M. Smola (by vote of the town) for legislation to authorize the town of Sturbridge to issue one additional license for the sale of all-alcoholic beverages not to be drunk on the premises at 122 Main Street, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Sturbridge,—
liquor
license.

A petition of Julian Cyr for legislation relative to elder protection, came from the Senate with the endorsement that it had been referred, under suspension of Joint Rule 12, to the committee on Health Care Financing.

Elder
protection.

The House then concurred with the Senate in the suspension of said rule; and, on motion of Ms. Gregoire of Marlborough, the petition (accompanied by bill, Senate, No. 2513) was referred, in non-concurrence, to the committee on Elder

Affairs. Sent to the Senate its action.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C), an Order relative to special procedures for consideration of the House Bill to protect youth from the health risks of tobacco and nicotine addiction (House, No. 4109), ought to be adopted (for order, see House, No. 4471). The order was considered forthwith; and it was adopted.

Tobacco risks,—
procedures.

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 Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Barbara Harrington, an employee of the Department of State Police. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Barbara Harrington,—
sick leave.

Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4185) of John H. Rogers and Michael F. Rush (by vote of the town) that the town of Norwood be authorized to grant up to five additional licenses for the sale of alcoholic beverages to be drunk on the premises in said town.

Norwood,—
liquor licenses.

Under suspension of the rules, on a motion of Mr. Chan of Quincy, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

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

Authorizing the city of Somerville to offer an exemption for certain owner occupied residential properties for water and sewer charges and rates (House, No. 4309) [Local Approval Received];

Somerville,—
exemption.

Authorizing the town of Dedham to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4416) [Local Approval Received] [Mr. Howitt of Seekonk, of the committee on Consumer Protection and Professional Licensure, dissenting];

Dedham,—
liquor license.

Authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4417) [Local Approval Received];

Id.

Authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 4429) [Local Approval Received];

Tyngsborough,—
liquor license.

Authorizing the town of Tyngsborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4430) [Local Approval Received]; and

Id.

Designating the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley (House, No. 4435);

Quincy,—
maritime center.

Under suspension of Rule 7A, in each instance, on motion of Mr. Walsh of

UNCORRECTED PROOF.

Peabody, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on Senate, Nos. 1007, 1092, 1099, 1100, 1101 and 1114 and House, Nos. 1066, 2391, 2396, 2404, 3206, 3511, 3594, 4033, 4337, 4363 and 4380, a Bill for prevention and access to appropriate care and treatment of addiction (House, No. 4470). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Addiction,—
treatment and
care.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House No. 3632, a Bill relative to the conveyance of a certain parcel of land in the city of Lowell (House, No. 4440).

Lowell,—
land.

By the same member, for the same committee, on House, No. 4093, a Bill to ensure compliance with federal standards regarding the handling of federal tax information (House, No. 4441).

Federal
taxes.

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

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

- Relative to updating the used car law (House, No. 207);
 - Relative to tobacco premium ratings (House, No. 521);
 - Relative to homeowners insurance (House, No. 534);
 - Relative to elevator inspections (House, No. 1232);
 - Relative to non-resident firearm licensing (House, No. 1265);
 - Relative to unloaded rifles or shotguns (House, No. 1287);
 - Promoting police and youth partnership (House, No. 1293);
 - Relative to dangerous weapons (House, No. 1297);
 - Relative to fire safety (House, No. 1306);
 - Relative to energy efficiency (House, No. 1724, changed);
 - To add a compulsory death benefit to automobile liability insurance (House, No. 2195);
 - Relative to interstate branching of a credit union and the Massachusetts Credit Union Share Insurance Corporation (House, No. 3690); and
 - Relative to hydro (House, No. 4304);
- Severally placed in the Orders of the Day for the next sitting for a second reading.

Used car law.
Tobacco ratings.
Insurance.
Elevators.
Firearms licensing.
Unloaded rifles.
Partnership.
Weapons.
Fire safety.
Energy efficiency.
Death
benefit.
Credit
unions.
Hydro.

Emergency Measure.

The engrossed Bill establishing the Nickerson State Park Trust Fund (see House, No. 3820, 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.

Nickerson
State Park.

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 5 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency

Bill
re-enacted.

UNCORRECTED PROOF.

preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared 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.

Engrossed Bills.

The engrossed Bill designating a certain bridge in the towns of Hanson and Hanover as the Hon. Charles W. Mann bridge (see House, No. 3849, amended) (which originated in the House), 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 relative to savings bank life insurance (see House, No. 3894, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The House Bill establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (House, No. 4450), 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. Sent to the Senate for concurrence.

Paula
Donahue,—
sick leave.

The House Bill relative to the recall of elected officials in the town of Carlisle (House, No. 3699), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Carlisle,—
recall
elections.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4476), 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 designating the boardwalk at Heritage State Park in the city of Fall River as the Robert Correia Boardwalk (House, No. 4166) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Fall River,—
Correia
boardwalk.

On the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain boardwalk in the Heritage state park in the city of Fall River, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 4166, amended) was passed to be engrossed. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Representative Hunt of Boston then moved that when the House adjourns today, it do so in respect to the memory of Gerald J. Morrissey, a member of the House from Boston from 1963 to 1968, inclusive; and the motion prevailed.

Accordingly, at twenty-five minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. O'Day of West Boylston being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 9, 2018.

[48]*

JOURNAL OF THE HOUSE.

Wednesday, May 9, 2018.

Met according to adjournment at eleven o'clock A.M., with Ms. Peake of Provincetown in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice, we give You thanks for the hard-working women and men of our legislative branch here in the House. We are grateful too for the many staff who keep this branch of government running well.

Prayer.

God of Beauty, we give You thanks for the natural gifts of Massachusetts.

Yesterday May 8 marked the anniversary of the incorporation of Wendell in 1781. Situated in Franklin County, Wendell is home to the unspoiled beauty of Wendell State Forest. It is one of the least populated towns in the Commonwealth with just over 1000 residents. Named after Judge Oliver Wendell of Boston, the 47 mile long Robert Frost trail runs through Wendell and around Ruggles Pond in the State Forest.

We pray for 2nd Franklin District Representative Susannah Whipps and her staff.

May God continue to bless our Commonwealth.

At the request of the Chair (Ms. Peake), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Prayer.

During the session, the Speaker took the Chair and at his request, the members, guests and employees stood in a moment of silent tribute to the memory of friend and colleague, the Honorable Chris Walsh of Framingham, a member of the House from Framingham from 2011 to 2018, inclusive, who passed away on May 2nd.

Chris Walsh.

Resignation of Representative Collins of Boston.

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

May 9, 2018.

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

Dear Clerk James,

Today I respectfully submit my resignation as State Representative for the Fourth Suffolk District, due to my election as State Senator in the First Suffolk District.

It is hard to believe that 7 ½ years have gone by since I first got lost in this wonderful and historic building trying to find Room 8 to fill out the paperwork in the House business and payroll office.

I learned very quickly that it would be important to me personally, and to the work I would be undertaking on behalf of my constituents, to not only build relationships and friendships with my legislative colleagues, especially my classmates and those from the neighborhoods of Boston, but to have sincere and cordial relationships with those of you who make the function of the legislature work smoothly on a daily basis.

And I mean the clerks, the court officers, the operators, the office receptionists, the Park Rangers, I want to especially recognize Captain Owens for his professionalism and support.

To my colleagues and office mates over the years, thank you for your guidance as well as your tolerance of my sometimes aggressive behavior when I was charged up over an issue that meant a lot to me.

I'm proud of so much of the work we did together that was embraced by Speaker DeLeo and his leadership team, especially CHINS reform, prescription monitoring legislation, the Port of Boston expansion, criminal justice reform, to name a few.

I must again recognize the guidance of Speaker DeLeo, his leaders and whips, who helped me learn the rules of order, the merits of bundling amendments, when to fight for something and when to back off, in all cases for the greater good.

The House is where the action is and this experience will certainly help me, as I move to the Senate, do what I can to foster a productive working relationship between the branches starting with the House Members from my Senate District. Representatives Hunt of Boston, Cullinane of Boston, Carvalho of Boston, Holmes of Boston, and Scaccia of Boston.

I don't consider this a farewell as much as it is a thank you.

As if this chamber and the frescos high above here aren't inspirational enough, filled with the spirit of those who helped democratize this new world nearly 250 years ago. The work that is done here is both inspirational and vital. All of us who are elected to this body are responsible for the Commonwealth's economic growth, preserving the first in the nation universal health care system, adequately funding for our public schools, and ensuring that our government pursues social and economic justice for all of its citizens.

I am inspired by all of the people I have met and worked with in this branch of the great and honorable General Court.

I'm told that the Senate is a different sort of Chamber. I'm sure that I will be able to find their business office easy enough. I'm sure that I will build new relationships with both Senate colleagues and the staff and the professionals who make that branch click.

Rest assured that all of you are a part of what has been an incredible journey for me and my family. As the son of a former House member, I'll miss this chamber and the people in it. Though I am going across the hall to the Senate, I will always be a member of the House.

I am grateful for my time in the House and look forward to continuing our work together.

Sincerely,

NICK COLLINS
*State Representative
Fourth Suffolk District.*

Appointments to Joint Standing Committees.

The Speaker announced that he had appointed Representative Hawkins of Attleboro to the 9th position, in both instances, on the joint committees on Community Development and Small Businesses; and Telecommunications, Utilities and Energy; and to the 7th position on the joint committee on Tourism, Arts and Cultural Development, to fill existing vacancies.

Joint standing committees,—
appointments.

Resolutions.

Resolutions (filed with the Clerk by Mr. Pignatelli of Lenox) celebrating the twenty-fifth anniversary of the Community Access to the Arts, were referred under Rule 85, to the committee on Rules.

Community Access to the Arts.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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 Goldstein-Rose of Amherst and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4482) of Solomon Goldstein-Rose and Stanley C. Rosenberg (by vote of the town) that the city known as the town of Amherst be authorized to hold a special election on November 6, 2018. To the committee on Election Laws.

Amherst,—
special election.

By Representative Mark of Peru and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4483) of Paul W. Mark and Stanley C. Rosenberg (with the approval of the mayor and city council) relative to the charter of the city known as the town of Greenfield. To the committee on Municipalities and Regional Government.

Greenfield,—
charter.

Severally sent to the Senate for concurrence.

A petition (subject to Joint Rules 12 and 9) of Bradley H. Jones, Jr., Bruce E. Tarr and others that the town of Andover and the town of North Reading be authorized to enter into an agreement for the supply of potable water, was transmitted to the State Secretary under Chapter 3 of the General Laws.

Andover and North Reading,—
water supply.

Papers from the Senate.

A Bill relative to veterans' benefits, rights, appreciation, validation and enforcement (Senate, No. 2509) (on Senate bill No. 2454, amended), passed to be

Veterans,—
benefits.

engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A petition (accompanied by bill, Senate, No. 2512) of Stanley C. Rosenberg (with approval of the mayor and city council) for legislation to authorize the city of Northampton to release a certain conservation easement, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Northampton,—
land.

Reports of Committees.

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 2434) of Paul Brodeur, Paul McMurtry and others relative to telehealth services;

Telehealth
services.

Of the petition (accompanied by bill, House, No. 2459) of Denise C. Garlick and others relative to access to urgent and retail care; and

Urgent and
retail care.

Of the petition (accompanied by bill, House, No. 2470) of Ronald Mariano for legislation to further define the term “surgery”;

Surgery,—
definition.

And recommending that the same be severally referred to the committee on Health Care Financing.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by resolve, House, No. 2473) of Sarah K. Peake and others for an investigation by a special commission (including members of the General Court) relative to the health impacts from land based wind turbines,— and recommending that the same be referred to the committee on Ways and Means.

Wind
turbines.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence, insomuch as relates to the discharge of the joint committee.

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

Relative to designation of polling places (House, No. 382);

Polling places.

Allowing 12 and 13 year old youth to be employed as soccer referees (House, No. 1000);

Soccer
referees.

Relative to the recreational tramway board (House, No. 1300);

Tramways.

Relative to kayak safety (House, No. 1312);

Kayak safety.

[sic]To historic route designations (House, No. 4155);

Routes.

Requiring instruction in CPR and the use of defibrillators for high school graduation (House, No. 4396);

CPR and
defibrillators.

Enabling municipal and regional planning agency employees to fully participate in gaming policy advisory committees (House, No. 4398); and

Gaming
advisors.

Relative to a senior exemption for the town of Harwich (House, No. 4437) [Local Approval Received];

Harwich,—
exemption.

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 Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels to the town of Shrewsbury (House, No. 4312) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Shrewsbury,—
land.

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

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the Bill establishing a special commission to investigate and study the feasibility and effects of collecting disaggregate data (House, No. 4408), ought to pass with amendments in section 2, in line 7, by striking out the figures: “11” and inserting in place thereof the figures: “12”, and in line 11, by inserting after the word “leader” the words “; an appointee from the Asian American Commission”. Referred, under Rule 33, to the committee on Ways and Means, with the amendments pending.

Asian
Americans,—
data study.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, No. 2367, a Bill relative to apprenticeship programs (House, No. 4217). Read; and referred, under Rule 33, to the committee on Ways and Means.

Apprenticeship
programs.

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Ms. Peake of Provincetown being in the Chair), the House recessed until quarter before two o'clock P.M.; and at one minute before two o'clock P.M. the House was called to order with Mrs. Haddad of Somerset in the Chair.

Recess.

Joint Session.

During the noon recess, a joint session to consider amendments to the Constitution convened and was quickly recessed. See the Journal of the House in Joint Session.

Joint
Session.

Valedictory Address.

The Speaker being in the Chair,—

During the session, there being no objection, Mr. Calter of Kingston addressed the House regarding his departure from service in the House of Representatives.

Valedictory
address.

Reports of Committees.

Prior to the noon recess (Ms. Peake of Provincetown being in the Chair),— By

Tobacco
risks.

Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill to protect youth from the health risks of tobacco and nicotine addiction (House, No. 4109), ought to pass with an amendment by substitution of a bill with the same title (House, No. 4479) [Mr. Boldyga of Southwick dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Hogan of Stow (Mrs. Haddad of Somerset being in the Chair), the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act protecting youth from the health risks of tobacco and nicotine addiction."

After debate on passing the bill to be engrossed (the Speaker having been in the Chair), Mr. Frost of Auburn moved (Mrs. Haddad having returned to the Chair) to amend it by adding the following section:

"SECTION 28. A person less than 21 years of age found to be in use of tobacco or vapor products for the third time shall be subject to not more than 2 hours of community service for a charitable institution. Failure to complete the two hours of community service within 120 days shall result in the suspension of the person's driver's license or the delay of issuance of the person's driver's license or permit for 60 days. A violation of this section shall be a noncriminal offense."

The amendment was rejected.

There being no objection, Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

"SECTION 28. Notwithstanding any general or special law to the contrary, there shall be a task force established to study and provide recommendations regarding the vaping industry.

The task force shall examine the use of vapes, juuls, and other e-cigarettes, particularly among teens and young adults, and investigate how minors are achieving access to such devices. The task force shall also study the potential negative health effects of using different e-cigarette devices. The study shall include, but not be limited to, considering ways to regulate the vaping industry, identifying opportunities to educate students on the dangers of e-cigarettes and related devices in comparison to regular cigarettes, and developing best practices for restricting the use of e-cigarette devices in and near schools.

The task force shall consist of 15 members, including the house and senate chairs on the joint committee of public health, who shall be the co-chairs; the speaker of the house of representatives or a designee; the president of the senate or a designee; the house minority leader or a designee; the senate minority leader or a designee; the commissioner of the department of public health or a designee; and 8 members to be appointed by the governor; provided that, one shall have experience as a school resource officer, one shall be from the Massachusetts Cancer Action Center, two shall be school administrators, two shall be representatives from the Massachusetts Health and Hospital Association, and two shall be representatives from the tobacco or vaping industry.

The task force shall submit its report and findings, along with any

recommendations, to the house and senate committees on ways and means, the joint committee on public health, and the clerks of the house of representatives and senate no later than January 1, 2019.”.

The amendment was adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 29. Any tobacco or vapor products, as defined in section 6 of chapter 270, found in the possession of a person less than 21 years of age may be confiscated by a certified law enforcement officer or a school resource officer and immediately destroyed; provided however, that this section shall not apply to the possession of such products by a minor working within the course and scope of their duties as an employee. A violation of this section shall be a noncriminal offense.”.

The amendment was rejected.

Mr. Sánchez of Boston then moved to amend the bill in section 18, in line 153, by inserting after the word “inclusive” the words “as amended from time to time”; in lines 156 to 159, inclusive, by striking out the words “; provided, however, that the term ‘electronic liquid container’ shall not include a sealed, prefilled and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product”;

In section 23, in line 188, by striking out the word “legal” and inserting in place thereof the word “sales”, in line 189 by inserting after the word “minimum” the word “sales”;

In section 24, in line 197, by striking out the date: “January 1, 2019” and inserting in place thereof the date: “December 30, 2018”;

In section 26, in line 204, by striking out the words “age for the sale or delivery of” and inserting in place thereof the words “sales age to purchase”; and in line 205 by inserting after the word “products”, the second time it appears, the following: “; provided, that this act shall not preempt, supersede or nullify any inconsistent, contrary or conflicting local law in effect on December 30, 2018 that prohibits the sale of tobacco products or vapor products to persons under the age of 19, 20, or 21 as applied to persons who attained the age of 18 before December 31, 2018”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Hogan of Stow; and on the roll call 147 members voted in the affirmative and 4 in the negative.

[See Yea and Nay No. 348 in Supplement.]

Therefore the bill (House, No. 4486, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,—
yea and nay
No. 348.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court (House, No. 4423), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Hay of Fitchburg.

Stephanie
Perez,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 4 by striking out the word “Any” and inserting in place thereof the words “If Stephanie Perez terminates employment with the court

or requests to dissolve the sick leave bank, any”.

The amendment was adopted; and the bill (House, No. 4423, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next
sitting.

The Speaker moved that when the House adjourns today, it do so in respect to the memory of Chris Walsh, a member of the House from Framingham from 2011 to 2018, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at eleven minutes after four o’clock P.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 9, 2018.

[49]

JOURNAL OF THE HOUSE,
IN JOINT SESSION.

Wednesday, May 9, 2018.

*Joint Session of the Two Houses to Consider
Specific Amendments to the Constitution.*

At one o'clock P.M., the two branches met in

JOINT SESSION

and were called to order by the Honorable Harriette L. Chandler, President of
the Senate.

Joint
Session.

Without action on the matters duly and constitutionally assigned for
consideration, on motion of Mr. DiDomenico, at one minute past one o'clock P.M.,
the joint session was recessed until one o'clock P.M., on Wednesday, July 25, 2018;
and the Senate withdrew from the House Chamber under the escort of the Sergeant-
at-Arms.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 10, 2018.

[49]

JOURNAL OF THE HOUSE.

Thursday, May 10, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of New Life and Fresh Beginnings, we pray today for our elected officials and their staff on this Spring day. We ask You to watch over the many visitors to our historic capitol and to bless the work of the many who are employed here.

Prayer.

Today marks the anniversary of the 1864 reincorporation of the old town of Taunton as a city.

Taunton's city seal has the Latin words "Dux Femina Facti" inscribed on it, which translates "A Woman Led the Deed" referring to the town's foundress Elizabeth Poole, who helped establish the town as the first settlers broke from the Plymouth colony.

Taunton utilized its location near rivers to build an early iron works plant. It soon began to fashion silver products and thus earned its nickname as the Silver City. The official silverware used at the White House comes from Taunton.

Robert Treat Paine, a signer of the Declaration of Independence and the state's first Attorney General, established his law practice in Taunton and lived there for much of his life.

Keeping with the tradition of Elizabeth Poole, the city of Taunton is represented in this House by three women, 3rd Bristol District Representative Shaunna O'Connell, 5th Bristol's Patricia Haddad and 12th Bristol's Keiko Orrall. We pray for these elected officials and their staff.

May God continue to bless our Commonwealth.

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.

Resignation of Representative Calter of Kingston.

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

April 27, 2018.

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

Dear Mr. Clerk,

This letter will serve as my formal resignation as a member of the House of Representatives, representing the people of the 12th Plymouth District. It has been my distinct honor to have served as a member of the House of Representatives.

During my time in the House, it has been my pleasure to advocate for issues that have had a favorable impact on the lives of my constituents. Effective at 12:00 P.M. May 13, 2018 please accept my resignation as the State Representative from the 12th Plymouth District.

Sincerely,
Thomas J. Calter
State Representative,
12th Plymouth District.

Resignation of
Representative
Thomas J.
Calter of
Kingston.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating Gloria Tu Gilbert on being named the 2018 Westford Kiwanis Person of the Year;

Gloria
Gilbert.

Resolutions (filed by Representatives Brodeur of Melrose, Barber of Somerville, Garballey of Arlington, Donato of Medford, Day of Stoneham and Ultrino of Malden) congratulating the Friends of the Middlesex Fells Reservation on their twenty-fifth annual meeting;

Middlesex
Fells
Reservation.

Resolutions (filed by Ms. Garlick of Needham) congratulating Varun Jayanti on receiving the Eagle Award of the Boy Scouts of America;

Varun
Jayanti.

Resolutions (filed by Ms. Garlick of Needham) congratulating Nicholas Novitch on receiving the Eagle Award of the Boy Scouts of America;

Nicholas
Novitch.

Resolutions (filed by Messrs. Muratore of Plymouth and Hunt of Sandwich) commending the Plymouth Fragment Society on its two hundredth anniversary;

Plymouth
Fragment Society.

Resolutions (filed by Mr. Rogers of Cambridge) congratulating John McLellan on his retirement; and

John
McLellan.

Resolutions (filed by Ms. Tyler of Boston) celebrating the Boston Arts and Music Festival Organization and its mission;

Boston Arts and
Music Festival.

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

Petitions.

Representative Parisella of Beverly and Senator Lovely presented a joint petition (accompanied by bill, House, No. 4488) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) that the city of Beverly be authorized to employ Paul Cotter as fire chief, notwithstanding the maximum age requirement; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Beverly,—
Paul Cotter.

Ms. Benson of Lunenburg presented a petition (subject to Joint Rule 12) of

Carol

UNCORRECTED PROOF.

Jennifer E. Benson for legislation to establish a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission; and the same was referred, under Rule 24, to the committee on Rules.

Poladian,—
sick leave.

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2515) of Sal N. DiDomenico (with approval of the mayor and city council) for legislation to add a fifth member to the Board of Elections Commission in the city of Everett. To the committee on Election Laws.

Everett,—
elections
commission.

Petition (accompanied by bill, Senate, No. 2514) of Sal N. DiDomenico (with approval of the mayor and city council) for legislation to allow Everett City Council to set the salary for the Clerk of the City Council; and

Everett,—
salary.

Petition (accompanied by bill, Senate, No. 2516) of Sal N. DiDomenico (with approval of the mayor and city council) for legislation to amend the charter of the city of Everett;

Everett,—
charter.

Severally to the committee on Municipalities and Regional Government.

A petition of Bruce E. Tarr and Bradley H. Jones, Jr. for legislation to establish a sick leave bank for Lisa Fuccione, an employee of the Department of Public Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Lisa
Fuccione,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2522) was referred, in concurrence, to the committee on Public Service.

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 Josh S. Cutler and others relative to the commitment of certain individuals for alcohol or substance use disorders. To the committee on Mental Health, Substance Use and Recovery.

Substance use,—
commitment.

Joint petition (accompanied by bill) of Paul W. Mark and Adam G. Hinds for legislation to authorize the Teachers' Retirement Board to grant creditable service to Rachel Porter. To the committee on Public Service.

Rachel Porter,—
creditable
service.

Petition (accompanied by bill) of Patricia A. Haddad relative to gender identity on certain state identification. To the committee on Transportation.

Gender
identification.

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Resolve establishing a special commission to investigate and study relative to the application of building codes when existing structures in gateway cities are converted to a mixed-use development (House, No. 1314);

Gateway
cities,—
building codes.

Of the Resolve establishing a special commission relative to correctional

Correctional

education (House, No. 3519);

Of the Bill relative to special education finance (House, No. 4390); and

Of the Bill establishing a special commission pertaining to small businesses and minority-owned businesses in Western Massachusetts (House, No. 4406);

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 Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2460) of Denise C. Garlick and others relative to urgent care and retail clinics,— and recommending that the same be referred to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

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

Authorizing the town of Montague to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4462) [Local Approval Received]; and

Relative to speed limitations near waste or recycling collection vehicles (House, No. 4463);

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

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1675, 1678, 1679, 1680, 1681, 1682, 1685, 1693, 1696, 1697, 1699, 1700, 1701, 1702, 1703, 1705, 1709, 1716, 1718, 1719, 1722, 1724, 1725, 1726, 1728, 1730, 1731, 1734, 1735, 1736, 1737, 1738, 1739, 1741, 1744, 1746, 1748, 1749, 1750, 1751, 1752, 1756, 1757, 1758, 1759, 1762, 1763, 1764, 1767, 1768, 1769, 1770, 1771, 1772, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815 and 1816 and House, Nos. 1651, 1652, 1656, 1658, 1659, 1662, 1663, 1664, 1668, 1669, 1671, 1672, 1673, 1674, 1675, 1677, 1682, 1684, 1686, 1687, 1688, 1694, 1695, 1696, 1698, 1699, 1702, 1703, 1704, 1705, 1710, 1715, 1719, 1720, 1723, 2659, 2660, 2661, 2664, 2665, 2666, 2667, 2668, 2670, 2674, 2675, 2677, 2678, 2681, 2775, 3354, 3355, 3356, 3357, 3358, 3359, 3363, 3365, 3366, 3367, 3378, 3382, 3383, 3627, 3629, 3630, 3631 and 3678, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain Senate and House documents concerning state administration and regulatory oversight issues (House, No. 4481). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

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.

education.
Special education.
Minority-owned
businesses.

Urgent care,—
clinics.

Montague,—
liquor
license.

Collection
vehicles,—
speed limits.

State
Administration
and Regulatory
Oversight,—
study.

UNCORRECTED PROOF.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following matters ought to pass:

Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 119); and

Girls,—
juvenile
system.

Bill establishing a permanent commission on the social status of Black men and boys (House, No. 120).

Black men
and boys.

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

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4489) [Bond Issue: General Obligation Bonds: \$462,970,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Life
sciences,—
bonding.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill relative to expanding access to high quality early education in Boston (House, No. 3759) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Early
education.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, No. 3633, a Bill relative to workplace safety (House, No. 4219). Read; and referred, under Rule 33, to the committee on Ways and Means.

Workplace
safety.

Orders of the Day.

The Senate Bill authorizing the town of Westport to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (Senate, No. 2303), 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

Protecting the rights of custodial and other non-teaching employees of school districts (House, No. 1390) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Establishing a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department (House, No. 4403);

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. DeLeo of Winthrop,—

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

Next
sitting.

Messrs. Nangle of Lowell, Golden of Lowell and Mom of Lowell moved that when the House adjourns today, it do so in respect to the memory of Robert B. Kennedy, a member of the House from Lowell from 1975 to 1978, inclusive, the mayor of the city of Lowell in 1986 and 1987; and a member of the Governor's Council from 1989 to 1995, inclusive; and the motion prevailed.

Accordingly, at fourteen minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at one o'clock P.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 14, 2018.

[50]

JOURNAL OF THE HOUSE.

Monday, May 14, 2018.

Met according to adjournment at one o'clock P.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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Creativity, whose work is so beautifully displayed throughout our Commonwealth, we give You thanks for the natural beauty of our small state.

We give thanks too for the work of our legislators and their staff. Bless them and all who work in various capacities throughout this historic edifice.

We also give thanks today for the 8th most populous city in Massachusetts. The city of Lynn was incorporated on this date in 1850. Lynn was a center of tannery and shoe-making for the Massachusetts Bay Colony. The boots worn by the Continental Army soldiers during the Revolutionary War were made in Lynn. This legacy is reflected in the city's seal, which features a colonial boot.

In 1841, the abolitionist Frederick Douglas moved to Lynn as a fugitive slave. Douglas, his wife, and their five children lived in Lynn until 1848.

When General Electric was formed in 1892, Lynn was one of the two original GE plants. The design and production of jet engines continues there.

May God continue to bless our Commonwealth.

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.

Prayer.

Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Maggie Chiffer of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Jenny Conant of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Melissa Driver of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Olivia Inman of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Lindsay Porter of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Kajsa Wingerup of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Representatives DiZoglio of Methuen and Campbell of Methuen) recognizing Phil Lahey on his retirement from the Merrimack Valley Prevention and Substance Abuse Program;

Maggie Chiffer.

Jenny Conant.

Melissa Driver.

Olivia Inman.

Lindsay Porter.

Kajsa Wingerup.

Phil Lahey.

UNCORRECTED PROOF.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Ann Smith, RN, CDDN, on the occasion of her thirty five years of dedicated service to individuals with special needs and their families; and

Ann
Smith.

Resolutions (filed by Mr. Goldstein-Rose of Amherst) congratulating the Amherst Woman's Club on its one hundred and twenty-fifth anniversary;

Amherst
Woman's Club.

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

Orders.

The following order (filed by Miss Gregoire of Marlborough) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Elder Affairs be granted until Wednesday, June 13, 2018 within which time to make its final report on current Senate documents numbered 336, 345, 352 and 358, and House documents numbered 350, 2072, 2885 and 2890.

Elder Affairs
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4485), ought to be adopted. Under suspension of the rules, on motion of Miss Gregoire of Marlborough, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Wednesday, June 13, 2018 within which time to make its final report on current Senate documents numbered 545 and 587, and House documents numbered 482, 509, 535, 2159, 2966, 3543 and 4137.

Financial Services
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4487), ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Hogan of Stow) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Friday, July 13, 2018 within which time to make its final report on current House documents numbered 1143, 1151, 1189, 1205, 1245, 2442, 3226, 3240, 3514 and 3597.

Public Health
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4480), ought to be adopted. Under suspension of the rules, on motion of Ms. Hogan of Stow, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Wagner of Chicopee) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee

Economic
Development

on Economic Development and Emerging Technologies be granted until Friday, June 15, 2018 within which time to make its final report on current Senate documents numbered 175, 182, 185 and 2273, and House document numbered 4297.

and Emerging Technologies committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4415), ought to be adopted. Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend it in line 2 by striking out the date: “Friday, June 15” and inserting in place thereof the date: “Thursday, May 31”; and the amendment was adopted.

The order (House, No. 4415, amended) then also was adopted. Sent to the Senate for concurrence.

Petitions.

Representative D’Emilia of Bridgewater and Senator Pacheco presented a joint petition (accompanied by bill, House, No. 4500) of Angelo L. D’Emilia and Marc R. Pacheco (by vote of the town council) relative to amending the charter of the city known as the town of Bridgewater; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Bridgewater,— city charter.

Petitions severally were presented and referred as follows:

By Mr. Garballey of Arlington, a petition (subject to Joint Rule 12) of Sean Garballey relative to the retirement classification of certain employees of the Trial Court.

Employee classification.

By Mr. Golden of Lowell, a petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., and others that the commissioner of Capital Asset Management and Maintenance be authorized to transfer certain parcels of land in the town of Chelmsford.

Chelmsford,— land.

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

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until June 15, 2018, within which time to make its final report on current Senate document numbered 2410, relative to extending a bill relative to honoring Rosa Parks.

Transportation committee,— extension of time for reporting.

Under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the order (Senate, No. 2518) was considered forthwith; and it was adopted, in concurrence.

A Bill modernizing the foundation budget for the 21st century (Senate, No. 2525) (on Senate bill No. 2506, amended), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Education,— financing.

Bills

UNCORRECTED PROOF.

Requiring the inclusion of individuals who identify as gay, lesbian, bisexual, questioning or queer and as transgender on the advisory board to the Massachusetts Commission Against Discrimination (Senate, No. 1715) (on a petition);

Commission
Against
Discrimination.

Creating the title of musician laureate of the Commonwealth (Senate, No. 2225) (on a petition); and

Musician
laureate.

Observing United States Navy birthday day (Senate, No. 2519) (on Senate No. 1766);

United States
Navy birthday.

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.

The following notice was received from the Clerk of the Senate, to wit:—

May 14, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Harriette L. Chandler, President of the Senate, has announced the following appointments for Senator Nick Collins that were ratified by the Majority Party:

Committee
appointments.

- Joint Committee on Export Development, Chair
- Joint Committee on Consumer Protection and Professional Licensure, Vice Chair
- Senate Committee on Bonding, Capital Expenditures and State Assets, Vice Chair
- Senate Committee on Post Audit and Oversight, member
- Joint Committee on Children, Families and Persons with Disabilities, member
- Joint Committee on Public Health, member; and
- Joint Committee on Transportation, member.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C), an Order relative to special procedures for consideration of the House Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432), ought to be adopted (for order, see House, No. 4496). The order was considered forthwith; and it was adopted.

Life
sciences,—
procedures.

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 Todd M. Smola and Anne M. Gobi for

Sandra
Elizabeth Smith,—

UNCORRECTED PROOF.

legislation to establish a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services. To the committee on Public Service.

Petition (accompanied by bill) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land at the former Grafton State Hospital to the town of Grafton. To the committee on State Administration and Regulatory Oversight.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 77 and 3042, a Bill relative to mandated reporter reform (House, No. 4491).

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on a petition, a Bill regarding spouses as caregivers (House, No. 336).

By the same member, for the same committee, on a petition, a Bill requiring automated external defibrillators in assisted living residences (House, No. 347).

By the same member, for the same committee, on a petition, a Bill relative to promoting innovation in eldercare services (House, No. 2076).

By the same member, for the same committee, on House, No. 339, a Bill relative to mandatory reporting of elder abuse (House, No. 4494).

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 2947, a Bill to increase consumer transparency about insurance provider networks (House, No. 4493).

By the Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to the dispensing of prescription drugs (House, No. 1139).

By the same member, for the same committee, on a petition, a Bill to promote patient care transparency and nurse advancement (House, No. 1186).

By the same member, for the same committee, on a petition, a Bill relative to dentistry licensure examinations (House, No. 1226).

By the same member, for the same committee, on a petition, a Bill relative to electronic prescribing of opiates and other controlled substances (House, No. 2453).

By the same member, for the same committee, on a petition, a Bill relative to the public health benefits of expanding access to drinking water in public places (House, No. 2461).

By the same member, for the same committee, on a petition, a Bill relative to nuclear power plant protections (House, No. 2472).

By the same member, for the same committee, on a petition, a Bill requiring disclosure of solvents used in dry cleaning (House, No. 2478).

By the same member, for the same committee, on a petition, a Bill to promote public health through the Prevention and Wellness Trust Fund (House, No. 2480).

By the same member, for the same committee, on a petition, a Bill to improve access to family physicians (House, No. 3241).

By the same member, for the same committee, on House, No. 1161, a Bill relative to patient access to information regarding breast reconstructive surgery (House, No. 4490).

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons

sick leave.

Grafton,—
land.

Mandated
reporters.

Spouses,—
caregivers.

Assisted living,—
AEDs.

Community
based residences.

Elder abuse,—
reporting.

Insurance
provider
networks.

Prescription
drugs.

Hospitals,—
staffing.

Dentistry,—
licensure.

Electronic
prescriptions.

Drinking
water.

Nuclear
power plants.

Dry cleaners,—
chemicals.

Prevention
and wellness.

Family
physicians.

Breast
reconstructive
surgery.

Foster

UNCORRECTED PROOF.

with Disabilities, on House, Nos. 104 and 1955, a Bill [sic] foster parents bill of rights (House, No. 4492).

parents,—
rights.

By Ms. Gregoire of Marlborough, for the committee on Elder Affairs, on House, No. 2078, a Bill establishing a special commission to study the feasibility of a senior center building authority (House, No. 4495).

Senior
centers.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to improve permanency and placement stability (House, No. 783).

Child custody
placement.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, No. 3135, a Bill protecting wages of employees who receive wages through an electronic wage card (House, No. 4218).

Electronic
wage cards.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the state property zoning exemption (House, No. 3628).

State
property,—
zoning.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474).

Maria
Benitez,—
sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (House, No. 4484).

Barbara
Harrington,—
sick leave.

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

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

Relative to special regulations for vehicle specific checkpoints (House, No. 2731); and

Vehicles,—
checkpoints.

Relative to non discrimination [sic] training in the workplace (House, No. 4386);

Non-discrimination
training.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

Designating the last day of February as rare disease day in the Commonwealth (House, No. 1650);

Rare disease
day.

Creating the official shellfish of the Commonwealth (House, No. 1654);

Shellfish.

Regarding Huntington's Disease awareness month (House, No. 1655);

Huntington's.

Relative to sleep deprivation avoidance and promotion of good sleeping practice (House, No. 1700);

Sleep
practices.

Designating the Boston Cream Pie Cupcake as the official cupcake of the Commonwealth (House, No. 1701);

Official
cupcake.

Designating shaken baby syndrome awareness week (House, No. 1713);

Shaken babies.

Establishing school bus driver day (House, No. 1714);
Designating the song “14 Counties of Massachusetts” as the official county song of the Commonwealth (House, No. 1717);
Supporting working parents who choose to run for public office (House, No. 2898) [Mr. Lombard of Billerica, of the committee on Election Laws, dissenting];
Relative to the official butterfly of the commonwealth (House, No. 3364);
Establishing “Here’s to America” as the official patriotic song of the Commonwealth (House, No. 3368); and
Designating gingham as the official textile of Massachusetts (House, No. 3376);
Severally placed in the Orders of the Day for the next sitting for a second reading.

School bus drivers.
Official county song.
Working parents.
Official butterfly.
Patriotic song.
Gingham,— official textile.

Engrossed Bills.

Engrossed bills

Authorizing the town of Westport to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (see Senate, No. 2303) (which originated in the Senate); and
Relative to the annual observance of Massachusetts Women’s Defense Corps Remembrance Day (see House, No. 2658) (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.

Bills enacted.

Orders of the Day.

The engrossed Bill relative to the Garden of Peace (see Senate, No. 2372) (which had been returned to the Senate by His Excellency the Governor with recommendation of amendment) (for message, see Senate, No. 2480), was considered.

Garden of Peace.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by His Excellency be considered in the following form:

By striking out, in line 5, the words “the existing balance held by” and inserting in place thereof the words “any monies authorized by a court to be transferred to the fund from”; and the report was accepted.

The amendment then was adopted, in concurrence.

The Senate amendment of the House Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (House, No. 4354, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Sara Parmenter,— sick leave.

The Senate Bill authorizing the Brookfield Housing Authority to convey a certain parcel of land and the buildings thereon (Senate, No. 2146), 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.

The House Bill relative to death benefits to surviving spouses of call and volunteer firefighters (House, No. 1388), was read a second time; and it was ordered

Second reading bill.

to a third reading.

The House Bill establishing a solid waste and recycling capital improvement fund for the town of Dennis (House, No. 3898), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Dennis,—
recycling
fund.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Five per cent of fees collected from the sale of transfer station permits and 5 per cent of recycling revenue in the town of Dennis shall be deposited into the Solid Waste and Recycling Capital Improvement Fund; provided, however, that if authorized by by-law, the board of selectmen of the town of Dennis may increase or decrease the portion of the transfer station permits or recycling revenue deposited into the fund.”; and

In section 3, by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the board of selectmen of the town of Dennis not later than December 31 and the board of selectmen shall vote to accept the report.”

The amendments were adopted; and the bill (House, No. 3898, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a waterways capital improvement fund for the town of Dennis (House, No. 3899) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Dennis,—
waterways
fund.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 3, by striking out the words “fifty per percent” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the words: “A portion”; and by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Fifty per cent of revenue collected from the boat storage fees in the town of Dennis shall be deposited into the Waterways Capital Improvement Fund; provided, however, that if authorized by by-law, the the board of selectmen of the town of Dennis may decrease the percentage of revenue collected from the boat storage fees deposited into the fund.”; and

In section 3, by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the board of selectmen of the town of Dennis not later than December 31 and the board of selectmen shall vote to accept the report.”

The amendments were adopted; and the bill (House, No. 3899, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents (House, No. 4336) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Gloria Phillips,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in lines 7 and 8 by striking out the words “Division of

UNCORRECTED PROOF.

Industrial Accidents paid” and inserting in place thereof the words “extended illness”.

The amendment was adopted; and the bill (House, No. 4336, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-four minutes after one o’clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o’clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 16, 2018.

[52]*

JOURNAL OF THE HOUSE.

Wednesday, May 16, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Beauty and Strength, we give thanks this day for this time of sunshine and fair weather following yesterday's strong thunderstorms throughout our state. We are grateful that the storm damage was limited in scope.

Prayer.

We remember that it was on this day in 1874 that the Mill River Dam collapsed. Sending a wall of water 30 feet high and 300 feet across, the flood wiped out mill villages in the towns of Williamsburg and Northampton killing 139 persons.

At the time of this disaster there was no precedent for the state government to provide direct relief to a city or town; residents in troubled towns usually received only a temporary abatement of taxes. But state legislators eventually granted \$120,000 to rebuild bridges and roads.

An investigation later determined that the dam was poorly constructed by the owners of the mills in order to save money, but engineers, contractors, and the county commissioners who inspected the dam were also held partly responsible for its failure.

While no charges were ever filed, this man-made disaster did lead to improvements in public safety, however. The Massachusetts legislature imposed standards for the construction, maintenance, and inspection of dams. Because of this flood, engineering of large-scale public projects had to meet state mandates. We are grateful for this.

May God continue to bless our Commonwealth.

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.

Statement Concerning Representative Roy of Franklin.

A statement of Mrs. Haddad of Somerset concerning Mr. Roy of Franklin was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Roy of Franklin, is unable to be present in the House Chamber for today's sitting due to personal business outside of the Commonwealth. His missing of roll calls today is due entirely to the reason stated.

Statement concerning Mr. Roy of Franklin.

Resolutions.

UNCORRECTED PROOF.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Andrew Arenella on receiving the Eagle Award of the Boy Scouts of America;

Andrew
Arenella.

Resolutions (filed by Ms. Garlick of Needham) congratulating Edward ‘Ted’ Blake on receiving the Eagle Award of the Boy Scouts of America;

Edward
Blake.

Resolutions (filed by Ms. Garlick of Needham) congratulating Matthew Kettlewell on receiving the Eagle Award of the Boy Scouts of America; and

Matthew
Kettlewell.

Resolutions (filed by Ms. Garlick of Needham) congratulating William Patsios on receiving the Eagle Award of the Boy Scouts of America;

William
Patsios.

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 Ms. Garlick, 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 Mr. Dwyer of Woburn, a petition (subject to Joint Rule 12) of James J. Dwyer relative to the use of community preservation funding by local public housing authorities.

Housing
authorities.

By Mr. Tucker of Salem, a petition (subject to Joint Rule 12) of Paul Tucker that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Salem to the Salem Redevelopment Authority.

Salem,—
land.

By Mr. Vieira of Falmouth, a petition (subject to Joint Rule 12) of David T. Vieira and Viriato M. deMacedo relative to the terms of water commissioners in the Buzzards Bay Water District.

Buzzards Bay
Water District.

By Mr. Zlotnik of Gardner, a petition (subject to Joint Rule 12) of Jonathan D. Zlotnik and Dean A. Tran for legislation to establish a sick leave bank for Keri Volk, an employee of the Department of Correction.

Keri Volk,—
sick leave.

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

Paper from the Senate.

The Senate Bill establishing a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health (Senate, No. 2444) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Melvin
Maldonado,—
sick leave.

Reports of Committee.

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

The Senate Bill creating the title of musician laureate of the Commonwealth (Senate, No. 2225); and

Musician
laureate.

House bills

Establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474); and

Maria Benitez,—
sick leave.

UNCORRECTED PROOF.

Establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (House, No. 4484);

Barbara
Harrington,—
sick leave.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (see House, No. 4354, 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.

Sara
Parmenter,—
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.

Engrossed Bill.

The engrossed Bill authorizing the Brookfield Housing Authority to convey a certain parcel of land and the buildings thereon (see Senate, No. 2416) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At eleven minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at two minutes after one o'clock the House was called to order with the Speaker in the Chair.

Recess.

Guests of the House.

During the session, the Speaker declared a brief recess, and introduced Dr. Jane Mansbridge, the Charles F. Adams Professor of Political Leadership and Democratic Values at the Harvard Kennedy School of Government. In April, Professor Mansbridge was announced as the 24th laureate of the Johan Skytte Prize in Political Science, the Prize-Equivalent to the Noble Prize in Political Science. Ms. Ferrante of Gloucester then took the Chair and presented a citation of the House, congratulating her on her achievement. Professor Mansbridge then addressed the House briefly. She was the guest of Representatives Peisch of Wellesley, Ehrlich of Marblehead, Honan of Boston, Benson of Lunenburg, Ferrante of Gloucester, Straus of Mattapoisett and Sánchez of Boston.

Dr. Jane
Mansbridge.

During the session, the Chair (Mr. Donato of Medford) introduced Ron Morin, Executive Director of the Friends of the Middlesex Fells Reservation, which recently celebrated its 25th anniversary. The Chair presented him previously adopted resolutions of the House commending the Friends on their important advocacy, preservation and community engagement activities over the last 25 years. He was

Ron
Morin.

the guest of Representatives Brodeur of Melrose, Donato of Medford, Day of Stoneham, Barber of Somerville, Ultrino of Malden and Garballey of Arlington.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

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 Aaron Michlewitz relative to the uses of the land owned by the Commercial Wharf East Condominium and its condominium unit owners in the city of Boston under the tidelands law. To the committee on Environment, Natural Resources and Agriculture.

Boston,—
condominiums.

Petition (accompanied by bill) of Dylan Fernandes that the county commissioners of the county of Dukes County be authorized to raise and expend funds for certain costs of designing and constructing improvements to the Martha's Vineyard Airport's wastewater treatment facility. To the committee on Municipalities and Regional Government.

Dukes County,—
wastewater
facility.

Joint petition (accompanied by bill) of Thomas A. Golden, Jr., and Joan B. Lovely for legislation to establish a sick leave bank for David Palazzo, an employee of the Department of Developmental Services. To the committee on Public Service.

David
Palazzo,—
sick leave.

Petition (accompanied by bill) of Thomas A. Golden, Jr., and others that the commissioner of Capital Asset Management and Maintenance be authorized to transfer certain parcels of land in the town of Chelmsford. To the committee on State Administration and Regulatory Oversight.

Chelmsford,—
land.

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

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4501) [Bond Issue: General Obligation Bonds: \$462,970,000.00].

Life
sciences,—
bonding.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4489),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4501), was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of the same member, the bill (having been reported by the

committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Mr. Gordon of Bedford moved to amend it in section 2, in item 7002-0015, in line 12, by inserting after the word “development” the words “, including English as a Second Language training”; and the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 12, in line 143, by inserting after the word “surplus” the following: “for fiscal year 2018”;

By striking out section 14; and

By inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith finance improvements to the Commonwealth’s economic infrastructure and promote economic opportunity for the life sciences ecosystem, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call 149 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 349 in Supplement.]

Therefore the bill (House, No. 4501, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,—
yea and nay
No. 349.

Engrossed Bill – Land Taking.

The engrossed Bill establishing a Garden of Peace trust fund (see Senate, No. 2372, amended) (which originated in the Senate) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Garden
of Peace.

On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill re-enacted
(land taking),—
yea and nay
No. 350

[See Yea and Nay No. 350 in Supplement.]

Therefore the bill was passed to be re- enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next
sitting.

UNCORRECTED PROOF.

Ms. Gifford of Wareham then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-seven minutes before three o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 17, 2018.

[53]

JOURNAL OF THE HOUSE.

Thursday, May 17, 2018.

Met at seven minutes after 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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, sixth grade students from the Sage School in Foxborough. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Barrows of Mansfield.

Foxborough,—
Sage School.

Resolutions.

Resolutions (filed with the Clerk by Representatives Gentile of Sudbury and Peisch of Wellesley) congratulating Jean Bates Pratt on the occasion of her one hundredth birthday, were referred under Rule 85, to the committee on Rules.

Jean
Pratt.

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

Order.

The following order (filed by Mr. Cusack of Braintree) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Marijuana Policy be granted until Wednesday, June 6, 2018 within which time to make its final report on current House document numbered 4379.

Marijuana
Policy
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4469), ought to be adopted. Under suspension of the rules, on motion of Mr. Cusack of Braintree, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Annual Report.

The annual report of the Bureau of Health Professions Licensure (under sections 9G, 25, 43 and 78 of Chapter 112 of the General Laws) submitting a consolidated report of all statutorily mandated reports for the boards of registration

Health
professions,—
licensure.

UNCORRECTED PROOF.

for physician assistants; pharmacy; dentistry; and nursing; and additional reports the boards of registration of genetic counselors; nursing home administrators; perfusionists; respiratory care; naturopathy; drug control program; and prescription monitoring; and additional reports of the Board of Certification of Community Health Workers, for the fiscal year 2017, was placed on file.

Petitions.

Representative Arciero of Westford and Senator Eldridge presented a joint petition (accompanied by bill, House, No. 4504) of James Arciero and James B. Eldridge (by vote of the town) that the town of Littleton be authorized to increase the accidental disability retirement allowance payable to Scott Holt, a retired fire fighter of said town; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Scott Holt,—
retirement.

Petitions severally were presented and referred as follows:

By Mr. Cutler of Duxbury (by request), a petition (subject to Joint Rule 12) of James Sullivan relative to the use of community preservation funds for the acquisition of artificial turf for athletic fields.

Community
preservation,—
funding.

By Mr. Gordon of Bedford, a petition (subject to Joint Rule 12) of Kenneth I. Gordon and others relative to property tax deferrals for seniors.

Seniors,—
tax deferrals.

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

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 David T. Vieira and Viriato M. deMacedo relative to the terms of water commissioners in the Buzzards Bay Water District. To the committee on Municipalities and Regional Government.

Buzzards Bay
Water District.

Petition (accompanied by bill) of Paul F. Tucker that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Salem to the Salem Redevelopment Authority. To the committee on State Administration and Regulatory Oversight.

Salem,—
land.

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 Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4467) of Diana DiZoglio relative to products used on newborn infants,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Infants,—
products.

Report of the committee on Housing, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4405) of Gerard Cassidy (with the approval of the mayor and city council) that the city of Brockton be authorized to create a rent board for manufactured housing in said city.

Brockton,—
manufactured
housing.

UNCORRECTED PROOF.

Under suspension of the rules, on a motion of Mr. Honan of Boston, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

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

Strengthening the penalty for assault or assault and battery on an emergency medical technician, ambulance operator, ambulance attendant or health care provider (House, No. 795);

Relative to the protection of persons with disabilities (House, No. 933); and

Relative to offenses while driving on a suspended license (House, No. 2307);

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.

First responders,—
assault.

Disabilities.

Suspended licenses.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1794, 1796, 1797, 1798, 1799, 1801, 1805, 1807, 1811, 1815, 1821, 1823, 1825, 1828, 1840, 1847, 1848, 1849, 1857, 1862, 1864, 1865, 1867, 1873, 1874, 1878, 1879, 1880, 1881, 1883, 1886, 1888, 1891, 1905, 1906, 1909, 1917, 1918, 1919, 2719, 2725, 2740, 2744, 2750, 2753, 2754, 2755, 3431, 3434 and 3503, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning transportation (House, No. 4502). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Transportation,—
study.

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. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the grant of easements relative to the Obery Street Roadway Improvement Project to the Town of Plymouth (House, No. 4477) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Plymouth,—
easements.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the charter of the town of Westborough (House, No. 4444) [Local Approval Received].

Westborough,—
charter.

By the same member, for the same committee, on a joint petition, a Bill increasing the annual compensation of the Peabody Municipal Light Plant commissioners (House, No. 4447) [Local Approval Received].

Peabody,—
light
commissioners.

By the same member, for the same committee, on a joint petition, a Bill relative to Water Meter Ordinance Violations – Penalties And Liens in the City of Revere (House, No. 4458) [Local Approval Received].

Revere,—
water meter
ordinances.

By the same member, for the same committee, on a joint petition, a Bill relative to the city of Greenfield charter (House, No. 4483, changed in section 1, in line 1472, by striking out the word “acceptable” and inserting in place thereof the word “acceptance”, in line 1476, by striking out the year: “2015” and inserting in place thereof the year: “2018”; and in lines 1477 to 1484, inclusive, by striking out the

Greenfield,—
charter.

UNCORRECTED PROOF.

two paragraphs contained in those lines) [Local Approval Received].

By the same member, for the same committee, on House, No. 4473, a Bill authorizing the Minuteman regional vocational technical school district to lease certain land and buildings (House, No. 4503).

Minuteman
School,—
land.

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

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (see House, No. 4354, amended) (which originated in the House), 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.

Orders of the Day.

House bills

Authorizing the town of Holliston to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4431); and

Third
reading
bills.

Designating the Houghs Neck Maritime Center in the city of Quincy as the Francis X. McCauley Houghs Neck Maritime Center (House, No. 4435) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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. DeLeo of Winthrop,—

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

Next
sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 21, 2018.

[54]

JOURNAL OF THE HOUSE.

Monday, May 21, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, we ask Your blessing upon the women and men who work in this legislative branch of government. We pray that the many support staff who work throughout this State House also enjoy Your favor.

Prayer.

Today we pray for the small Berkshire County town of Sandisfield. With the Buck and Clam rivers providing power, Sandisfield has long had a logging industry and is home to an abundance of wildlife. The Sandisfield and Otis state forests make up parts of this peaceful town. Perhaps we can say that not much has ever happened in Sandisfield, and perhaps that's just fine with this quiet town's 900 residents.

May God continue to bless our Commonwealth.

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.

A message from His Excellency the Governor recommending legislation relative to making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4520), was filed in the office of the Clerk on Friday, May 18.

Supplemental appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Gallery, the fourth grade students and chaperones from the Bailey School in Lowell, including the wife and daughter of Representative Mom of Lowell. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Mom.

Lowell,—
Bailey
School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the fourth grade students from the British International School of Boston and their teachers Mr. MacDonald and Miss Yeardeley. They were the guests of Representative Khan of Newton.

British
International
School of
Boston.

Resolutions.

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

Resolutions (filed by Messrs. Jones of North Reading and Dwyer of Woburn) congratulating Father Edward T. Malone on his retirement;

Edward
Malone.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Samuel Weston Evans on receiving the Eagle Award from the Boy Scouts of America;

Samuel
Evans.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Saatvik Garhwal on receiving the Eagle Award from the Boy Scouts of America;

Saatvik
Garhwal.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating John Philip Norgren on receiving the Eagle Award from the Boy Scouts of America;

John
Norgren.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Brooks Robert O'Neil on receiving the Eagle Award from the Boy Scouts of America;

Brooks
O'Neil.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Nicholas F. Simmons on receiving the Eagle Award from the Boy Scouts of America; and

Nicholas
Simmons.

Resolutions (filed by Mr. Vega of Holyoke and other members of the House) recognizing June 2, 2018 as National Gun Violence Awareness Day;

Gun Violence
Awareness.

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

Order.

The following order (filed by Mr. Roy of Franklin) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, June 13, 2018 within which time to make its final report on current Senate documents numbered 631 and 2112, and House documents numbered 591, 596, 597, 601, 608, 610, 615, 617, 619, 620, 1218, 2074, 2215, 2217, 2219, 2434, 2459, 2470, 2567, 2983, 2985, 2986, 2987, 2988, 2990, 3223, 3248, 3582, 3704, 3829, 4127, 4259, 4332, 4333, 4355 and 4362.

Health Care
Financing
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4515), ought to be adopted. Under suspension of the rules, on motion of Mr. Roy of Franklin, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. Gentile of Sudbury presented a petition (accompanied by bill, House, No. 4522) of Carmine L. Gentile, Alice Hanlon Peisch and Richard J. Ross (by vote of the town) relative to prevailing wages for certain affordable housing projects in the town of Wayland; and the same was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Wayland,—
prevailing
wage.

Mr. Cusack of Braintree presented a petition (subject to Joint Rule 12) of Mark

Evidence
rooms.

J. Cusack relative to the examination of evidence rooms and evidentiary procedures; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill permitting certain exempted persons to occupy a trailer or semi-trailer that is being towed, pushed, drawn or is otherwise in motion upon any way (House, No. 4105) (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 inserting before the enacting clause the following emergency preamble:

“Whereas, the deferred operation of this act would tend to defeat its purpose, which is to permit certain exempted persons to occupy a trailer or semi-trailer in motion upon any way, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

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

The Senate Resolve providing for the establishment of a special legislative commission on young professionals (Senate, No. 208) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills
Relative to protecting biometric information under the security breach law (Senate, No. 95) (on a petition);
Relative to the powers and duties of a regional school district (Senate, No. 264) (on a petition);
Relative to the solar drying of laundry (Senate, No. 1117) (on a petition);
Establishing the East Bridgewater town center sewer district in the town of East Bridgewater (Senate, No. 2423) (on a petition) [Local Approval Received]; and

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.

Mr. Galvin of Canton, for the committee on Rules, reporting (under the provisions of House Rules 7B and 7C) that the following orders ought to be adopted:

Relative to special procedures for consideration of the House Bill relative to firearms (House, No. 4517) [for order see House, No. 4518]; and

Relative to special procedures for consideration of the Senate Bill relative to veteran’s benefits, rights, appreciation, validation and enforcement (Senate, No. 2509) [for order see House, No. 4519];

The orders severally were considered forthwith; and they were adopted.

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:

Hayrides.

Young professionals.

Biometric information.

Regional schools.

Laundry.

East Bridgewater.

Firearms.

Veterans,— benefits.

UNCORRECTED PROOF.

Petition (accompanied by bill) of Brian M. Ashe and others that the Department of Developmental Services be authorized to incorporate an employment program within the Community Based Day Support Services programs. To the committee on Children, Families and Persons with Disabilities.

Developmental services,—
employment program.

Petition (accompanied by bill) of James J. Dwyer relative to the use of community preservation funding by local public housing authorities. To the committee on Housing.

Housing authorities.

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. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill to prevent concussion and head injury (House, No. 220), be scheduled for consideration by the House.

Head injuries.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 2109, 2123 and 2927, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to fisheries (House, No. 4513).

Environment,
Natural Resources
and Agriculture,—
study.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, Nos. 633, 3000 and 3004, an Order relative to authorizing the committee on Higher Education to make an investigation and study of certain House documents relative to increasing access to and completion of public higher education in the state (House, No. 4512).

Higher Education,—
study.

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. Roy of Franklin, for the committee on Health Care Financing, that the Resolve providing for an investigation and study by a special commission relative to robotic surgery in the Commonwealth (House, No. 1182), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches; acting concurrently.

Robotic surgery.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Relative to individuals with intellectual or developmental disabilities (House, No. 98) [Cost: Greater than \$100,000.00];

Individuals with disabilities.

Providing for certain health insurance coverage (House, No. 526) [Cost: Greater than \$100,000.00];

Health insurance.

Relative to concussion prevention (House, No. 1124) [Cost: Greater than \$100,000.00];

Concussion prevention.

Relative to Diabetes prevention (House, No. 1128) [Cost: Greater than \$100,000.00];

Diabetes prevention.

UNCORRECTED PROOF.

Relative to postpartum depression screening (House, No. 1156) [Cost: Greater than \$100,000.00];
Relative to death certificates (House, No. 1173) [Cost: Greater than \$100,000.00];
Relative to the availability of prescription medication during an emergency (House, No. 1178) [Cost: Greater than \$100,000.00]; and
Promoting radon testing (House, No. 1215) [Cost: Greater than \$100,000.00].
Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Postpartum depression.
Death certificates.
Emergency medication.
Radon testing.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the House Bill making corrective amendments to Chapter 234 of the Acts of 2012 47CC (House, No. 576), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Craniofacial coverage.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 239 and House, Nos. 221, 284, 2056, 3479 and 3555, a Bill relative to dropout prevention and recovery (House, No. 2056). Read; and referred, under Rule 33, to the committee on Ways and Means.

Dropout prevention.

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

Regulating the use of credit reports by employers (House, No. 3153); and
To clarify the tips law (House, No. 3156);
Severally placed in the Orders of the Day for the next sitting for a second reading.

Credit reports.
Tips.

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

Relative to certain county elections for certain vacancies (House, No. 390); and
Relative to the judicial enforcement of noncompetition agreements (House, No. 4419);
Severally placed in the Orders of the Day for the next sitting for a second reading.

County elections.
Noncompetition agreements.

Engrossed Bills.

Engrossed bills
Protecting the rights of custodial and other non-teaching employees of school districts (see House, No. 1390);
Increasing the maximum age to be eligible for appointment as a special police officer in the city of Somerville (see House, No. 4085);
Authorizing the appointment of retired police officers as special police officers for paid detail assignments in the city of Cambridge (see House, No. 4143, amended); and
Authorizing the town of Lynnfield to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4370);
(Which severally originated in the House);

Bills enacted.

UNCORRECTED PROOF.

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.

House bills

Authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (House, No. 4094);

Third reading bills.

Authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of Clause forty-first C½ of Section 5 of Chapter 59 of the General Laws (House, No. 4249) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474); and

Establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (House, No. 4484);

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.

House bills

Providing for continuing education credits flexibility (House, No. 19);

To establish the uniform enforcement of foreign judgments (House, No. 718):

To add a compulsory death benefit to automobile liability insurance (House, No. 2195);

Restoring accountability in claims against certain non-governmental actions for damage caused by public way defects (House, No. 2724);

Regarding right of way violations (House, No. 2752); and

Relative to interstate branching of a credit union and the Massachusetts Credit Union Share Insurance Corporation (House, No. 3690);

Severally were read a second time; and they were ordered to a third reading.

Second reading bills.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-seven minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Mr. Sánchez of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2493) of the House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4382), reported, in part, a bill with the same title (House, No. 4514) [Total Appropriation: \$147,711,848.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

UNCORRECTED PROOF.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 4231, reported, in part, a Bill relative to the municipal police training fund (House, No. 4516) [Mr. Boldyga of Southwick dissenting]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal police training fund.

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

Under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill temporarily preventing firearm access for extremely dangerous or suicidal individuals (House, No. 3610, changed), ought to pass with an amendment substituting therefor a Bill relative to firearms (House, No. 4517) [Representatives Boldyga of Southwick and Campanale of Leicester dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Firearms.

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

Under suspension of Rule 7A, on motion of Mr. Mom of Lowell, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Recess.

At two minutes after one o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at thirteen minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4514), 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.

Supplemental appropriations.

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 sent to the Senate.

Bill enacted.

Order.

UNCORRECTED PROOF.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At thirteen minutes after three o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 23, 2018.

[55]*

JOURNAL OF THE HOUSE.

Wednesday, May 23, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Strength and Steadfastness, we give thanks today for the industry and know-how spirit that is a hallmark of our Commonwealth. We ask Your blessing upon our elected officials and their staff as they move ahead in the work entrusted to them by our citizens.

Prayer.

On this day we honor the 1810 birth of Margaret Fuller in Cambridge. Fuller was a journalist and advocate for women's rights.

Among her many "firsts," she was the first full-time American female book reviewer in journalism. She was the first woman to be permitted access to Harvard's library. She became the first editor of the Transcendentalist's magazine 'The Dial' and later joined Horace Greeley's 'New York Tribune'.

Her book "Woman in the Nineteenth Century" is considered the first major feminist work in the United States.

Upon returning from Europe in 1850, Fuller died along with her husband and child in a shipwreck off the coast of New York.

We are grateful for the courage and strength of character displayed by this native daughter of Massachusetts.

May God continue to bless our Commonwealth.

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 Prayer.

At the request of Representatives Kafka of Stoughton, Galvin of Canton, Cronin of Brockton, Cassidy of Brockton and DuBois of Brockton, the members, guests and employees stood in a moment of silent prayer in respect to the memory of four Stoughton High School students who were killed in a car accident on Saturday, May 19th: David Bell of Stoughton, age 17, Christopher Desir of Brockton, age 17, Nick Joyce of Stoughton, age 16, and Eric Sarblah of Stoughton, age 17.

David Bell,
Christopher Desir,
Nick Joyce, and
Eric Sarblah.

Each of these students will be sorely missed as members of a tight-knit community at Stoughton High School, and leave behind their families as well as many friends, classmates, teachers and coaches.

Guest of the House.

UNCORRECTED PROOF.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Midshipman Harrison Naughton, the son of Representative Naughton of Clinton, who was visiting the Chamber before returning to the United States Naval Academy. He was the guest of Mr. Naughton of Clinton.

Harrison
Naughton.

Resolutions.

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

Resolutions (filed by Mr. Cullinane of Boston) congratulating Dorrisile Dervis on the occasion of her one hundred and sixteenth birthday;

Dorrisile
Dervis.

Resolutions (filed by Mr. Cullinane of Boston) congratulating Ermete Jean on the occasion of her one hundred and second birthday;

Ermete
Jean.

Resolutions (filed by Mr. Cullinane of Boston) congratulating Jean Joseph on the occasion of his one hundred and seventh birthday;

Jean
Joseph.

Resolutions (filed by Mr. Cullinane of Boston) congratulating Marie I. Joseph on the occasion of her one hundred and eighth birthday;

Marie
Joseph.

Resolutions (filed by Mr. Cullinane of Boston) congratulating Eliska Saint-Louis on the occasion of her one hundredth birthday;

Eliska
Saint-Louis.

Resolutions (filed by Mr. Cullinane of Boston) congratulating Marie Lucie Saint Paul on the occasion of her one hundred and second birthday;

Marie Lucie
Saint Paul.

Resolutions (filed by Mr. Cullinane of Boston) congratulating Lifaite Printemps on the occasion of his one hundred and first birthday;

Lifaite
Printemps.

Resolutions (filed by Mr. Diehl of Whitman) congratulating the Jeffrey Coombs Memorial Foundation for excelling as a small nonprofit; and

Jeffrey Coombs
Foundation.

Resolutions (filed by Ms. Ehrlich of Marblehead and other members of the House) commending the National Brain Tumor Society on its recognition of May 2018 as Brain Tumor Awareness Month;

Brain Tumor
Awareness
Month.

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. Murphy of Weymouth, 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 Linsky of Natick and Senator Ross, a joint petition (accompanied by bill, House, No. 4533) of David Paul Linsky and Richard J. Ross (by vote of the town) relative to the removal of elected financial officials in the town of Sherborn. To the committee on Election Laws.

Sherborn,—
elected
officials.

By Representative Donahue of Worcester and Senator Moore, a joint petition (accompanied by bill, House, No. 4534) of Daniel M. Donahue and Michael O. Moore (with the approval of the city council) that the city of Worcester be authorized to lease a certain building. To the committee on Municipalities and Regional Government.

Worcester,—
lease.

By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 4535) of John J. Mahoney, Daniel M. Donahue and James J. O'Day (with the approval of the city council) relative to the disability retirement of Brian Patrick Carroll, a firefighter for the city of Worcester. To the committee on Public Service.

Worcester,—
Brian Patrick
Carroll.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill establishing a sick leave bank for Elliot Brown, an employee of the Executive Office of Health and Human Services (House, No. 4267) (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 amendments in lines 1 and 2, striking out the words “department of public health” and inserting in place thereof the words “executive office of health and human services”; and in lines 2, 3, 5 and 8, striking out the word “department”, in each instance, and inserting in place thereof the word “office”. The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Elliot
Brown,—
sick leave.

A report of the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4499) of Patricia A. Haddad relative to gender identity on certain state identification,— and recommending the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as relates to the discharge of the committee.

Gender
identification.

Reports of Committees.

By Mr. Murphy of Weymouth, 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 Melvin Maldonado, an employee of the Department of Mental Health (Senate, No. 2444); and

Melvin
Maldonado.

The House Bill relative to the public safety on urban college campuses (House, No. 4436);

Campus
safety.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 414, 430, 435 and 2928, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to waste management (House, No. 4526).

Environment,
Natural
Resources and
Agriculture,—
study.

By the same member, for the same committee, on House, Nos. 3565, 3566, 3567 and 3568, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to energy and climate change (House, No. 4527).

Id.

By the same member, for the same committee, on House, Nos. 423, 474, 475, 2907 and 3927, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to toxic management (House, No. 4529).

Id.

By the same member, for the same committee, on House, Nos. 416, 458, 2151 and 2905, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House

Id.

UNCORRECTED PROOF.

documents relative to agriculture and animals (House, No. 4530).

By the same member, for the same committee, on House, Nos. 421, 442, 456, 470 and 3563, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to trapping (House, No. 4531).

Id.

By the same member, for the same committee, on House, Nos. 404, 425, 451, 452 and 2144, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to funds (House, No. 4532).

Id.

By Ms. Ehrlich of Marblehead, for the committee on Export Development, on House, No. 2154, an Order relative to authorizing the committee on Export Development to make an investigation and study of certain a House documents relative to export development issues (House, No. 4521).

Export Development,— study.

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. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 1167 and House, No. 1144, that the Bill relative to safe patient handling in certain health facilities (House, No. 1144), ought to pass [Cost: Greater than \$100,000.00].

Safe patient handling.

By the same member, for the same committee, on Senate, No. 1222 and House, No. 1954, that the Bill supporting individuals with intellectual and developmental disabilities (House, No. 1954), ought to pass [Cost: Greater than \$100,000.00].

Individuals with disabilities.

By the same member, for the same committee, on Senate, No. 1179 and House, No. 2430, that the Bill relative to facilitating the utilization of psychologists on the health care team (House, No. 2430), ought to pass [Cost: Greater than \$100,000.00].

Psychologists,— utilization.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Bill relative to conducting fetal and infant mortality review (House, No. 1219), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Infant mortality.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 617 and House, No. 593, a Bill to support equal access to community care for elders and the disabled (House, No. 593) [Cost: Greater than \$100,000.00].

Community care.

By the same member, for the same committee, on Senate, No. 33 and House, No. 607, a Bill ensuring continuous healthcare coverage for youth who have aged-out of the Department of Children and Families (House, No. 607) [Cost: Greater than \$100,000.00].

Youth,— continuous coverage.

By the same member, for the same committee, on Senate, No. 646 and House, No. 2209, a Bill ensuring equal access to medical treatments essential for people with autism (House, No. 2209) [Cost: Greater than \$100,000.00].

Autism,— treatments.

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

UNCORRECTED PROOF.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill amending the charter of the city known as the town of Bridgewater (House, No. 4500) [Local Approval Received].

Bridgewater,—
charter.

By the same member, for the same committee, on a petition, a Bill authorizing the county of Dukes County to borrow funds to pay costs of wastewater treatment facility improvements at the Martha's Vineyard Airport (House, No. 4506).

Dukes County,—
wastewater.

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 Heidi Souza, an employee of the Department of Correction (see House, No. 4372), 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.

Heidi
Souza,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Sonia Morales, employee of the Department of Youth Services (see House, No. 4404, 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.

Sonia
Morales,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (see House, No. 4450), 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.

Paula
Donahue,—
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 6 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 sent to the Senate.

Bill
enacted.

Motion to Discharge a Certain Matter in the Orders of the Day.

The Senate amendment of the House Bill permitting certain exempted persons to occupy a trailer or semi-trailer that is being towed, pushed, drawn or is otherwise in motion upon any way (House, No. 4105), reported by the committee on Bills in

Trailers and
semi-trailers.

UNCORRECTED PROOF.

the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, under suspension of Rule 47, on motion of Ms. Peake of Provincetown; and it was adopted, in concurrence.

Recess.

At a quarter after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-four minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Mr. Honan of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2386) of the House Bill financing the production and preservation of housing for low and moderate income residents (House, No. 4134), reported a bill with the same title (House, No. 4536) [Bond Issue: \$1,800,000,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Housing
bond.

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

Under suspension of the rules, on motion of Mr. Honan of Boston, the report was considered forthwith.

After remarks on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 151 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 353 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Conference
committee
report
accepted,—
yea and nay
No. 351.

Emergency Measure.

The engrossed Bill permitting certain exempted persons to occupy a trailer or semi-trailer that is being towed, pushed, drawn or is otherwise in motion upon any way (see House, No. 4105, 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.

Trailers and
semi-trailers.

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 17 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 sent to the Senate.

Bill
enacted.

Engrossed Bill – State Loan.

The engrossed Bill financing the production and preservation of housing for

Housing
bond.

low and moderate income residents (House, No. 4536) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Pending the question on passing the bill to be enacted, Mr. Speliotis of Danvers moved that Rule 40 be suspended; and the motion prevailed.

Rule 40
suspended.

The same member then moved to amend the bill by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of the production and preservation of housing for low and moderate income citizens of the commonwealth and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (see House, No. 4536, amended) was sent to the Senate for concurrence in the amendment.

Subsequently, the Senate having concurred in adoption of the amendment, the bill, having been certified by the Clerk to be rightly and truly prepared for final passage then was again placed before the House, the question being on adopting the emergency preamble.

A separate vote then 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 56 to 0. Sent to the Senate for concurrence.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 2 in the negative.

Bill enacted
(state loan),—
yea and nay
No. 360.

[See Yea and Nay No. 360 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to the municipal police training fund (House, No. 4516), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Sánchez of Boston

Municipal
police,—
training.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 149 members voted in the affirmative and 4 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 351.

[See Yea and Nay No. 351 in Supplement.]

Therefore the bill (House, No. 4516) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to firearms (House, No. 4517), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Naughton of Clinton.

Firearms.

After debate on the question on passing the bill to be engrossed, Mr. McKenna of Webster moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 1 of chapter 209A is hereby amended by inserting in

line 2 after the words ‘household members’ the following words, ‘or of one’s self’

SECTION 2. Section 1 of chapter 209A is hereby amended by inserting in the definition of ‘Abuse’ in line 5 after the word ‘duress.’ the following new subsection:- (d) a person is an imminent risk of serious physical harm or death to himself”.

The amendment was rejected.

Mr. Boldyga of Southwick then moved to amend the bill by adding the following section:

“SECTION 14. After the court issuance of an Extreme Risk Protection Order (ERPO), The court shall within 24 hours assign a state provided mental health counselor to evaluate the individual, assess counseling needs, and establish a counseling outline and program pursuant to mental health standards and practices. An initial mental health assessment conducted by the Department of Mental Health shall take place within 48 hours. The Department of Mental Health, if deemed necessary, will establish a mental health counseling program for the individual and report this back to the court that issued the Extreme Risk Protection Order. Any mental health counseling programs that an individual participates in, whether voluntarily or mandated, will be provided by and funded by the Commonwealth of Massachusetts through the newly created ‘ERPO Mental Health Counseling Fund’”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Boldyga; and on the roll call 42 members voted in the affirmative and 111 in the negative.

[See Yea and Nay No. 352 in Supplement.]

Therefore the amendment was rejected.

The same member then moved to amend the bill by adding the following section:

“SECTION 14. This section shall create an Extreme Risk Protection Order Mental Health Counseling Fund. The fund shall be established for the needs to counsel and create mental health counseling programs for individuals who are the subject of a court ordered extreme risk protection order (ERPO). The Department of Revenue shall direct and deposit up to ten (10) million dollars annually to this fund. These monies will be derived from the sales tax revenue collected from the sale of merchandise and services at sporting goods stores and sporting goods facilities.”.

The amendment was rejected.

Mr. McKenna of Webster then moved to amend the bill in section 12, in lines 71, 72 and 73, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(iii) identify the number, types, and locations of any firearms, rifles, shotguns, machine guns, weapons or ammunition the petitioner believes to be in the respondent’s current control, ownership, or possession;”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 12, in line 247, by inserting after the words “fine of” the following: “no less than \$2,500 and”; and in line 248 by inserting after the word “correction” the words: “or by both such fine and imprisonment”; and the amendments were adopted.

The same members then moved to amend the bill in section 12, in line 126, by adding the following sentence: “The chief justice of the trial court, in consultation with the executive office of public safety and security, and the department of mental health, shall annually update the informational resource guides required under this

Amendment
rejected,—
yea and nay
No. 352.

section.” The amendment was adopted.

Mr. Dooley of Norfolk then moved to amend the bill in section 12, in line 107, by inserting after the word “petition.” the following: “Upon issuance of this petition, the court shall seek emergency restraint and hospitalization of the respondent pursuant to section 12 of chapter 123.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Dooley; and on the roll call 37 members voted in the affirmative and 116 in the negative.

[See Yea and Nay No. 354 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading then moved to amend the bill in section 13, in line 263; and also in section 14, in line 264, by striking out the figures: “30” and inserting in place thereof, in each instance, the figures: “45”. The amendments were adopted.

Mr. Howitt of Seekonk then moved to amend the bill in section 12, in line 163, by adding the following two sentences: “The licensing authority shall maintain the condition of any firearms or ammunition surrendered. The respondent may seek reimbursement if a third party determines the firearms or ammunition has been damaged and had their value diminished during their surrender or storage by the licensing authority.” The amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill in section 12, in line 118, by inserting after the word “petition.” the following sentence: “The court shall notify the respondent of his right to retain counsel to represent him at such hearing and his right to have counsel appointed for him if he is found to be indigent as determined by the court using the standards under chapter 211D.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell; and on the roll call 36 members voted in the affirmative and 117 in the negative.

[See Yea and Nay No. 355 in Supplement.]

Therefore the amendment was rejected.

Mr. Markey of Dartmouth and other members of the House then moved to amend the bill in section 2, in line 12, by inserting after the word “for” the words “up to”; and the amendment was adopted.

Mr. Markey then moved to amend the bill in section 12, in line 136, by inserting after the word “order” the following: “, within twenty-four hours of granting said order”; and the amendment was adopted.

Mr. Markey of Dartmouth then moved to amend the bill in section 12, in line 115, by inserting after the word “petitioner” the words “at the best known address”; and the amendment was adopted.

Mr. Whelan of Brewster and other members of the House then moved to amend the bill in section 12, in line 200, by adding the following three paragraphs:

“(l) (i) Notwithstanding any general or special law to the contrary, the lawful owner of any firearms, rifles, shotguns, machine guns, weapons or ammunition surrendered pursuant to this chapter that are temporarily stored, either voluntarily or involuntarily, with a private business, including but not limited to a licensed retailer under section 123, gunsmith, or a bonded warehouse under section 129D shall be entitled to the return of their property at the termination of an extreme risk protection order.

(ii) If the firearms, rifles, shotguns, machine guns, weapons or ammunition of a

Amendment
rejected,—
yea and nay
No. 354.

Amendment
rejected,—
yea and nay
No. 355.

respondent were transferred to and stored by a private business as noted in subsection (a) without the express written consent of the respondent, then no fees shall be charged for the return of the firearms, rifles, shotguns, machine guns, weapons or ammunition at the termination of an extreme risk protection order.

(iii) If the firearms, rifles, shotguns, machine guns, weapons or ammunition of a respondent are being transferred involuntarily or through court action, no fees can be incurred except with written permission or consent of the respondent and only after their rights have been explained to them under section 129D of chapter 140 explaining their rights of transfer and storage of said property.”

The amendment was rejected.

Mr. McKenna of Spencer and other members of the House then moved to amend the bill in section 12, in line 103, by striking out the words “by a preponderance of the evidence” and inserting in place thereof the words “with clear and convincing evidence”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. McKenna; and on the roll call 40 members voted in the affirmative and 113 in the negative.

[See Ye and Nay No. 356 in Supplement.]

Therefore the amendment was rejected.

Mr. McKenna and other members of the House then moved to amend the bill in section 12, in line 62, by striking out the words “may pose a risk” and inserting in place thereof the words “poses a significant and imminent risk;”; and in line 67 by inserting after the word “significant” the words “and imminent”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. McKenna; and on the roll call 36 members voted in the affirmative and 117 in the negative.

[See Ye and Nay No. 357 in Supplement.]

Therefore the amendments were rejected.

Mr. McKenna of Spencer and other members of the House then moved to amend the bill in section 12, in line 204 and also in line 213, by inserting after the word “significant”, in each instance, the words “and imminent.”; and the amendments were rejected.

Mr. McKenna and other members of the House then moved to amend the bill in section 12, line 203, and also in line 212, by striking out the word “reasonable” and inserting in place thereof the word “probable”. After remarks the amendments were rejected.

The same members then moved to amend the bill in section 12, in lines 106 and 107, by striking out the sentence contained in those lines; and after remarks the amendment was rejected.

Messrs. McKenna of Webster and Muradian of Grafton then moved to amend the bill in section 12 by adding the following subsection:

“Section 131V

(a) The clerk magistrate of the court shall forward a copy of an extreme risk protection order issued pursuant to section 131S or section 131T, the same day such order is issued, to the agency, board, or supervisory authority governing any and all professional or civil licenses, permits, or certifications an individual may hold of the determination that the individual has been deemed an extreme public safety risk due to mental illness and has been committed under this section. Such notice shall result in the mandatory review of all licenses and permits for suitability, with the recommendation from the Court that all be suspended until further notice is received

Amendment
rejected,—
yea and nay
No. 356.

Amendment
rejected,—
yea and nay
No. 357.

from the Courts indicating that such person is no longer deemed to be an extreme public safety risk due to mental illness.

(b) Upon the expiration or termination of an extreme risk protection order, the clerk magistrate of the court shall notify the agency, board, or supervisory authority governing any and all professional or civil licenses, permits, or certifications an individual previously held and they shall conduct an evaluation of the suitability for re-establishment of such licenses, permits, or certifications.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. McKenna; and on the roll call 35 members voted in the affirmative and 118 in the negative.

[See Ye and Nay No. 358 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading then moved to amend the bill in section 12, in line 97, by adding the following three sentences: “Upon receipt of the petition, the court shall issue a summons with the date, time and location of the hearing. The court shall direct a law enforcement officer to personally serve a copy of the petition and the summons on the respondent, or if personal service by a law enforcement officer is not possible, the court may, after a hearing, order that service be made by some other identified means reasonably calculated to reach the respondent. Service shall be made not less than 7 days prior to the hearing.” The amendment was adopted.

The same member then moved to amend the bill by striking out section 3; striking out section 11 and inserting in place thereof the following section:

“SECTION 11. Chapter 140 of the General Laws is hereby amended by striking out section 131J, as appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

Section 131J. (a) An ‘electronic control weapon,’ also sometimes known as a ‘conducted electrical weapon,’ shall be any portable device or weapon from which an electrical current, impulse, wave, or beam may be directed, which current, impulse, wave, or beam is designed to override voluntary motor responses, cause pain, temporarily incapacitate, injure, or kill.

(b) Sales of electronic control weapons are permitted only by firearms dealers licensed pursuant to section 122 of chapter 140. No such sale shall be made to any individual not properly licensed pursuant to sections 129B or 131 of chapter 140.

(c) No person who is not properly licensed pursuant to sections 129B or 131 of chapter 140 shall possess an electronic control weapon.

(d) Whoever violates paragraphs (b), (c) or (g) of this section shall be punished by a fine of not less than \$500 nor more than \$1,000 or by imprisonment in the house of correction for not more than 2 ½ years, or by both such fine and imprisonment. A law enforcement officer may arrest without a warrant any person whom he has probable cause to believe has violated this section.

(e) If an electronic control weapon is capable of deploying wires attached to prongs, a seller shall, within seven days, report all such transfers to the commissioner of the department of criminal justice information services according to the provisions set forth in section 128A, and in the case of loss, theft or recovery of any electronic control weapon, a similar report shall be made forthwith to both the commissioner of the department of criminal justice information services and the licensing authority in the city or town where the owner resides. Whoever fails to report the loss or theft of an electronic control weapon or the recovery of an electronic control weapon previously reported lost or stolen to the commissioner of the department of criminal justice information services and the licensing authority in

Amendment
rejected,—
yea and nay
No. 358.

the city or town where the owner resides shall be punished by a fine of not less than \$500 nor more than \$1,000 for a first offense, by a fine of not less than \$2,500 nor more than \$7,500 for a second offense and by a fine of not less than \$7,500 nor more than \$10,000 or imprisonment for not less than 1 year nor more than 5 years, or by both such fine and imprisonment, for a third or subsequent offense. Failure to so report shall be a cause for suspension or permanent revocation of a person's firearm identification card or license to carry firearms, or both. Notwithstanding this paragraph or any general or special law to the contrary, no person, who in good faith, reports a loss or theft under this paragraph for the first time shall be subject to suspension, revocation or be considered unsuitable under section 131 for the renewal of a lawfully held firearm identification card or license to carry firearms; provided, however, that persons reporting loss or theft under this paragraph or under section 129B on a second or subsequent occasion may be subject to suspension, revocation or be considered unsuitable under said section 131 for the renewal of a lawfully held firearm identification card or license to carry firearms.

The provisions of this section shall not apply to the following exempted persons and uses:

(i) Federally licensed firearms manufacturers or wholesale dealers, or persons employed by them or by licensed dealers, or on their behalf, when possession of electronic control weapons is necessary for manufacture, display, storage, transport, installation, inspection or testing;

(ii) To a person voluntarily surrendering an electronic control weapon therefor to a licensing authority, the colonel of the state police or his designee if prior written notice has been given by said person to the licensing authority or the colonel of the state police, stating the place and approximate time of said surrender;

(iii) The regular and ordinary transport of electronic control weapons as merchandise by any common carrier;

(iv) Possession of electronic control weapons therefor by nonresidents traveling in or through the commonwealth, providing that any electronic control weapons are enclosed in a locked case;

(v) Any resident of the commonwealth returning after having been absent from the commonwealth for not less than 180 consecutive days or any new resident moving into the commonwealth, with respect to any electronic control weapon therefor then in his possession, for 60 days after such return or entry into the commonwealth;

(vi) The possession or utilization of any electronic control weapon during the course of any television, movie, stage or other similar theatrical production, or by a professional photographer or writer for examination purposes in the pursuit of his profession, providing such possession or utilization is under the immediate supervision of a holder of a firearm identification card or a license to carry firearms;

(vii) The temporary holding, handling, or firing of an electronic control weapon for examination, trial, or instruction in the presence of a holder of a license to carry firearms, or the temporary holding, handling, or firing of an electronic control weapon for examination, trial, or instruction in the presence of a holder of a firearm identification card, or where such holding, handling, or firing is for a lawful purpose;

(viii) The transfer of an electronic control weapon upon the death of an owner to his heir or legatee shall be subject to the provisions of this section, provided that said heir or legatee shall within 180 days of such transfer, obtain a firearm identification card or a license to carry firearms if not otherwise an exempt person who is qualified to receive such or apply to the licensing authority for such further

limited period as may be necessary for the disposition of such electronic control weapon;

(ix) Persons in the military or other service of any state or of the United States, and police officers and other peace officers of any jurisdiction, in the performance of their official duty;

(f) Any person who, while not being within the limits of his own property or residence, or such person whose property or residence is under lawful search, and who is not exempt under this section, shall on demand of a police officer or other law enforcement officer, exhibit his license to carry firearms, or his firearm identification card or receipt for fee paid for such card. Upon failure to do so such person may be required to surrender to such officer said electronic control weapon which shall be taken into custody as under the provisions of section 129D, except that such electronic control weapon shall be returned forthwith upon presentation within 30 days of said license to carry firearms, firearm identification card or receipt for fee paid for such card as hereinbefore described. Any person subject to the conditions of this paragraph may, even though no electronic control weapon was surrendered, be required to produce within thirty days said license to carry firearms, firearm identification card or receipt for fee paid for such card, failing which the conditions of section 129D will apply. Nothing in this section shall prevent any person from being prosecuted for any violation of this chapter.

(g) Any person who is required to surrender such person's firearms identification card, license to carry, firearms, rifles or shotguns, either by order of a court or by operation of law, shall simultaneously surrender any electronic control weapon in the same manner as such other weapons are surrendered."; and

In section 6, in lines 39 and 40, by striking out the sentence contained in those lines.

The amendments were rejected.

Mr. McKenna of Webster and other members of the House then moved to amend the bill by striking out section 3; and the amendment was rejected.

Ms. Decker of Cambridge then moved to amend the bill in section 12 by adding following paragraph:

"(l) The supreme judicial court and the appeals court shall have concurrent jurisdiction to review any proceedings had, determinations made, and orders or judgments entered in the court pursuant to this section or section 131T. The supreme judicial court or the appeals court, subject to the provisions of section 13 of chapter 211A may by rule vary the procedure authorized or required for such review upon a finding that the review by the court will thereby be made more simple, speedy and effective."

The amendment was adopted.

Mr. Dooley of Norfolk then moved to amend the bill in section 12, in line 253, by adding the following four paragraphs:

"Section 131W1/2. (a) The respondent may submit 1 written request for a hearing to terminate an extreme risk protection order issued pursuant to section 131U during each 1-year period that the order is in effect, starting from the date of the order and continuing through any renewals of the order.

(b) Upon receipt of the request for a hearing to terminate an extreme risk protection order, the court shall set a date for a hearing. Written notice of the request shall be served on the petitioner, and written notice of the hearing shall be served on the petitioner and the respondent, by certified mail. The hearing shall occur no sooner than 14 days and no later than 30 days from the date of service of the request upon the petitioner.

(c) The respondent shall have the burden of proving by a preponderance of the evidence that the respondent does not pose a significant danger of causing personal injury to self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm. The court may consider any relevant evidence, including evidence of the considerations listed in subsection (d) of section 131U.

(d) If the court finds after the hearing that the respondent has met his or her burden, the court shall terminate the order.”.

The amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill in section 12, in line 200, by adding the following paragraph:

“(l) Each extreme risk protection order issued by the court shall contain the following statement: You have the right to request 2 hearings to terminate this order during every 1-year period that this order is in effect, starting from the date of this order and continuing through any renewals of the order.”.

The amendment was rejected.

Representatives Jones of North Reading and Decker of Cambridge then moved to amend the bill in section 12 by adding the following subsection:

“Section 131Z. The court shall annually, on or before December thirty-first, issue a report on the use of extreme risk protective orders. The report shall be submitted to the Executive Office of Public Safety and Security; the Joint Committee on Public Safety and Homeland Security; The Joint Committee on the Judiciary; the Joint Committee on Mental Health Substance Use and Recovery; and the House and Senate Clerks. The report shall include but shall not be limited to the following information:

- (1)The number of extreme risk protective order petitions filed;
- (2)The number of extreme risk protective order petitions that lead to a respondent’s forfeiture subject to Section 131X;
- (3)The number of emergency extreme risk protective order petitions filed;
- (4)The number of emergency extreme risk protective order petitions that lead to a respondent’s forfeiture subject to Section 131X;
- (5)The number of extreme risk protective order or emergency extreme risk protective order petitions filed that are deemed to be fraudulent;
- (6) The race and ethnicity of the petitioner and respondent;
- (7) The gender and gender identity of the petitioner [sic] and respondent;
- (8) The data on the duration of extreme risk protection orders.”; and

In line 257 by striking out the following: “131X” and inserting in place thereof the following: “131Y”.

The amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill by striking out section 1 and inserting in place thereof the following two sections:

“SECTION 1. Section 121 of chapter 140 of the General Laws is hereby amended by striking out, in line 1 the words ‘to 131Q’ and inserting in place thereof the following words:- to 131X.

SECTION 1A. Said section 121 of said chapter 140 is hereby further amended, by inserting after the definition of ‘Conviction’, as appearing in the 2016 Official Edition, the following definition:-

‘Court’, the division of the district court department or the Boston municipal court department of the trial court having jurisdiction in the city or town in which the respondent resides.”;

In section 12, in lines 67, 204, and 213, by striking out the word “significant”, each time it appears,

UNCORRECTED PROOF.

In lines 136 through 138, inclusive, by striking out the following: “. Nothing herein shall authorize the transfer of any weapons required to be surrendered, or surrendered, by the respondent to anyone other than a licensed dealer.” and inserting in place thereof the following: “; provided, however, that nothing in this section or in said section 129D shall allow the respondent to: (i) transfer any firearms, rifles, shotguns, machine guns, weapons or ammunition required to be surrendered, or surrendered, by the respondent to anyone other than a licensed dealer; or (ii) maintain control, ownership or possession of any firearms, rifles, shotguns, machine guns, weapons or ammunition during the pendency of any appeal of an extreme risk protection order; and provided further that, notwithstanding section 129D, if the licensing authority cannot reasonably ascertain a lawful owner of firearms, rifles, shotguns, machine guns, weapons or ammunition surrendered pursuant to extreme risk protection order within 180 days of the expiration or termination of the extreme risk protection order the licensing authority may, in its discretion, trade or dispose of surplus, donated, abandoned or junk firearms, rifles, shotguns, machine guns, weapons or ammunition to properly licensed distributors or firearms dealers and the proceeds of such sale or transfer shall be remitted or credited to the municipality in which the licensing authority presides to be used for violence reduction or suicide prevention.”,

In line 113 by adding the following two sentences: “The court may modify its order at any subsequent time upon motion by either party. When the petitioner’s address is inaccessible to the respondent as provided in subsection (d) of section 131R and the respondent has filed a motion to modify the court’s order, the court shall be responsible for notifying the respondent. In no event shall the court disclose any such inaccessible address.”,

In line 211 by inserting after the word “an” the word “emergency”,

In lines 239 to 242, inclusive, by striking out the following: “to the licensing authority; the department of criminal justice information services who shall transmit the report, pursuant to paragraph (h) of section 167A of chapter 6, to the attorney general of the United States to be included in the National Instant Criminal Background Check System; and”, and inserting in place thereof the following: “to: (i) the licensing authority; (ii) the commissioner of probation; (iii) the department of criminal justice information services who shall transmit the report, pursuant to paragraph (h) of section 167A of chapter 6, to the attorney general of the United States to be included in the National Instant Criminal Background Check System; and (iv)”,

In lines 254, 255 and 256 by striking out the paragraph contained in those lines and inserting in place thereof the following:

“Section 131X. (a) Sections 131R to 131X, inclusive, shall not affect the ability of a law enforcement officer to remove firearms, rifles, shotguns, machine guns, weapons or ammunition from any person or conduct any search and seizure for firearms, rifles, shotguns, machine guns, weapons or ammunition pursuant to other lawful authority.”;

By striking out section 14 and inserting in place thereof the following section:

“SECTION 14. Sections 1, 1A, 2, 4, 5, 7, 8, 9, 10 and 12 shall take effect 45 days after passage.”; and

By inserting before the enacting clause, the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate forthwith the possession of firearms in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Naughton of Clinton; and on the roll call 139 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 359 in Supplement.]

Therefore the bill (House, No. 4539, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 359

Reports of Committees.

Prior to the noon recess, Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill relative to veterans' benefits, rights, appreciation, validation and enforcement (Senate, No. 2509), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4525. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Veterans'
benefits.

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

Under suspension of Rule 7A, on motion of Mr. Straus of Mattapoisett, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2509, amended) was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Lawn of Watertown, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Murphy of Weymouth moved to amend it by adding the following section:

“SECTION 15: Section 5 of Chapter 59 of the General Laws, as so appearing, is hereby amended by inserting after clause Twenty-second G the following clause:

Twenty-second H: Real estate to the full amount of the taxable valuation of real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces which was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for at least 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available until such time as the surviving parents or guardians die.

No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation. This clause shall take effect upon its acceptance by any city or town.”.

The amendment was adopted.

Mr. Kaufman of Lexington then moved to amend the bill by inserting after section 8 the following section:

“SECTION 8A. Section 5N of said chapter 59, as so appearing, is hereby amended by striking out, in lines 16 and 43, the figure ‘\$1,000’ and inserting in place thereof, in each instance, the following figure:- \$1,500.”.

The amendment was adopted.

The same member then moved to amend the bill by inserting after section 8A (inserted by amendment) the following section:

“SECTION 8B. Clause Twenty-second A of said section 5 of said chapter 59, as so appearing, is hereby amended by inserting, in line 688, after the words ‘air force cross’ the following words:- , or who is or was a prisoner of war defined as any regularly appointed, enrolled, enlisted, or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict.”.

The amendment was adopted.

Mr. Kaufman then moved to amend the bill by inserting after section 8B (inserted by amendment) the following two sections:

“SECTION 8C. Said section 5 of said chapter 59, as so appearing, is hereby amended by inserting after clause Seventeenth E the following clause:- Seventeenth F, Notwithstanding any provision of general or special law to the contrary, an abatement granted pursuant to clause Seventeenth, Seventeenth C, Seventeenth C 1/2 or Seventeenth D may be increased annually in the discretion of a city or town by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year. This clause shall take effect in a city or town upon its acceptance by such city or town.

SECTION 8D. Clause Fifty-fifth of said section 5 of said chapter 59, as so appearing, is hereby amended by striking out the second paragraph.”.

The amendment was adopted.

Mr. Koczera of New Bedford then moved to amend the bill by adding the following section:

“SECTION 16. Section 52 of chapter 130 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘therefor’, in line 61, the following words:-

; provided, however, that such city or town shall not charge a veteran, as defined in clause Forty-third of section 7 of chapter 4, a fee greater than the fee charged to a resident of such city or town.”.

The amendment was adopted.

Mr. Wong of Saugus then moved to amend the bill by inserting after section 9 the following four sections:

“SECTION 9A. Section 2 of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘vehicle’, in line 507, the following words:- or to the registrant of a motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle and there is no distinctive promotional or advertisement marking visible on the motor vehicle.

SECTION 9B. Said section 2 of said chapter 90, as so appearing, is hereby further amended by inserting after the word ‘person’, in line 512, the following

words:- or for 1 motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle, there is no distinctive promotional or advertisement marking visible on the motor vehicle and the motor vehicle is principally used by that person.

SECTION 9C. Said section 2 of said chapter 90, as so appearing, is hereby further amended by inserting after the word 'person', in line 517, the following words:- or for 1 motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle, there is no distinctive promotional or advertisement marking visible on the motor vehicle and the motor vehicle is principally used by that person.

SECTION 9D. Said section 2 of said chapter 90, as so appearing, is hereby further amended by inserting after the word 'vehicle', in line 521, the following words:- or a motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle and there is no distinctive promotional or advertisement marking visible on the motor vehicle.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 17. Chapter 149 is hereby amended by striking out section 52A½, as so appearing, and inserting in place thereof the following section:-

Section 52A½. An employee who is a veteran or a member of a department of war veterans listed in section 17 of chapter 8 and who desires to participate in a Memorial Day exercise, parade or service in the employee’s community of residence shall be allowed and granted a leave of absence of sufficient time to participate in such an exercise, parade or service in the employee’s community of residence. The leave of absence shall be with or without pay, at the discretion of the employee’s employer.

An employee who is a veteran or is a member of a department of war veterans listed in said section 17 of said chapter 8 shall be granted time off to observe Veterans Day. The time off shall be with or without pay, at the discretion of their employer.

This section shall not apply to employees whose services are essential and critical to the public health or safety and determined to be essential to the safety and security of such an employee’s employer or the property of the employer.”.

The amendment was adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 18. Section 2 of chapter 115 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding at the end thereof the following:-

The commissioner shall create and maintain a list of firms and organizations willing to provide pro bono legal representation to veterans in the Commonwealth. Such information shall be updated yearly, and will be distributed to veteran’s agents and available online.”.

The amendment was adopted.

Mr. Arciero of Westford then moved to amend the bill by adding the following section:

“SECTION 19. Notwithstanding any special or general law, rule or regulation to the contrary, any Massachusetts veteran, as defined in clause 43 of section 7 of chapter 4 of the general laws, or any active duty member of the armed forces of the United States, who has received a Bronze Star award for their valiant service, shall

be eligible for a Bronze Star plate as verified by either a DD-214 or 638 form, from the registry of motor vehicles.”.

The amendment was adopted.

The same member then moved to amend the bill by inserting after section 11 the following section:

“SECTION 11A. There is hereby established a special commission to study the cost and feasibility of exempting veterans of the commonwealth from tuition, fees and associated costs of attending public colleges and universities in the commonwealth, due to recent changes in federal veteran services and benefits related to higher education.

The commission shall consist of 13 members: the secretary of the department of veterans’ services, or a designee, and the commissioner of the department of higher education, or a designee, who shall serve as co-chairs; 1 of whom shall be a member of the student veterans of America appointed by the governor; 1 of whom shall be a member appointed by the speaker of the house; 1 of whom shall be a member appointed by the senate president; 1 of whom shall be a member appointed by the minority leader of the house; 1 of whom shall be a member appointed by the minority leader of the senate; the house and senate chairs of the joint committee on higher education, or their designees; the house and senate chairs of the joint committee on veterans and federal affairs, or their designees; the chair of the house committee on ways and means, or a designee; and the senate chair of the committee on ways and means, or a designee.

The study shall include, but not be limited to: an evaluation of the cost and feasibility of exempting veterans from paying tuition, fees and associated costs at public colleges and universities in the commonwealth; the societal impact of such an exemption for veterans and their families; and the effect of such a policy on the finances of the commonwealth.

The commission shall report its findings and any recommendations to the joint committee on veterans and federal affairs, the joint committee on higher education, and the clerks of the house and senate not later than December 21, 2018.”.

The amendment was adopted.

There being no objection, Mr. Walsh of Peabody then moved to amend the bill by inserting after section 9D (inserted by amendment) the following section:

“SECTION 9E. Section 240 of chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following sentence:-

The board shall promulgate regulations to determine the allowable education and work hour credits for veterans and military personnel.”; and

By inserting after section 10 the following two sections:

“SECTION 10A. Section 2A of chapter 141 of the General Laws, as so appearing, is hereby amended by adding the following sentence:-

The examiners shall promulgate regulations to determine the allowable education and work hour credits for veterans and military personnel.

SECTION 10B. Section 4 of chapter 142 of the General Laws, as so appearing, is hereby amended by inserting, at the end of the second paragraph, the following sentence:-

The examiners shall promulgate regulations to determine the allowable education and work hour credits for veterans and military personnel.”.

The amendments were adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays at the request of Mr. Lawn of Watertown; and on the roll call 150 members voted in the affirmative

Bill passed to
be engrossed,—
yea and nay

and 0 in the negative.

No. 361.

[See Yea and Nay No. 361 in Supplement.]

Therefore the bill (Senate, No. 2509, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4540, published as amended).

Subsequently a statement of Mr. Nangle of Lowell was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous roll call, I was absent from the House Chamber on official business in another part of the State House and therefore I was not recorded. Had I been present, I would have voted in the affirmative.

Statement of
Mr. Nangle
of Lowell.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at three minutes after nine o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 24, 2018.

[56]

JOURNAL OF THE HOUSE.

Thursday, May 24, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God, Source of Life, we give You thanks for the quality of life many Massachusetts citizens enjoy. We ask Your blessing and divine assistance for our Legislature. Watch over their efforts and the work of their staff.

Prayer.

We give thanks for New England's fourth largest city as tomorrow marks the anniversary of the 1852 incorporation of Springfield. The first municipality of the 33 Springfields in the United States, Springfield also boasts of being the first in other ways, among them: the first American English dictionary was published in 1805 by Merriam-Webster; in 1844 vulcanized rubber was invented here by Charles Goodyear; and of course, basketball was invented here in 1891.

A number of well-known companies originated in Springfield: Milton Bradley, Smith and Wesson, Sheraton Hotels, and Indian Motorcycle, among them.

Springfield was the hometown of children's book author and illustrator Dr. Seuss and The Amazing World of Dr. Seuss Museum is the most recent addition to the nearby downtown museums.

We give thanks for this seat of Hampden County and its over 150,000 residents.

May God continue to bless our Commonwealth.

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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Cutler of Duxbury) honoring Dr. T. Brazelton for his dedicated service to children and family and celebrating his one hundredth birthday, were referred under Rule 85, to the committee on Rules.

Dr. T.
Brazelton.

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

Communication from the Supreme Judicial Court of the Commonwealth.

A communication from the Supreme Judicial Court of the Commonwealth relative to the Honorable Thomas Estes (for communication, see House document numbered 4538), was filed in the office of the Clerk prior to today's sitting, was

Supreme
Judicial Court,—
Thomas Estes.

read for the information of the House; and placed on file.

Petition.

Mr. Roy of Franklin presented a petition (subject to Joint Rule 12) of Jeffrey N. Roy and Richard J. Ross for legislation to establish a sick leave bank for Jodi Cipriano, an employee of the Department of Developmental Services; and the same was referred, under Rule 24, to the committee on Rules.

Jodi
Cipriano,—
sick leave.

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 petition of Peter V. Kocot relative to reviving and further continuing the special commission established to investigate and report on the preservation of Polish culture and history in the Pioneer Valley. Under suspension of the rules, on motion of Mr. Cassidy of Brockton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolve) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Pioneer
Valley,—
Polish culture.

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

Senate bills

Establishing the East Bridgewater town center sewer district in the town of East Bridgewater (Senate, No. 2423) [Local Approval Received]; and

Observing United States Navy Birthday day (Senate, No. 2519); and

House bills

Relative to the charter of the town of Westborough (House, No. 4444) [Local Approval Received];

Increasing the annual compensation of the Peabody Municipal Light Plant commissioners (House, No. 4447) [Local Approval Received];

Relative to water meter ordinance violations – penalties and liens in the city of Revere (House, No. 4458) [Local Approval Received];

Relative to the city of Greenfield charter (House, No. 4483, changed) [Local Approval Received]; and

Authorizing the Minuteman regional vocational technical school district to lease certain land and buildings (House, No. 4503);

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

East
Bridgewater.
Navy birthday.

Westborough,—
charter.

Peabody,—
commissioners.

Revere,—
ordinances.

Greenfield,—
charter.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on House, Nos. 81, 86, 122, 151, 439, 508, 510, 592, 594, 595, 598, 599, 600, 602, 603, 604, 605, 606, 609, 611, 612, 613, 614, 616, 618, 621, 623, 625, 626, 642, 998, 1064, 1065, 1071, 1075, 1076, 1140, 1181, 1183, 1184, 1187, 1188, 1214, 1225, 1255, 1681, 1956, 1963, 1980, 1998, 2030, 2073, 2114, 2211, 2212, 2213, 2214, 2216, 2220, 2221, 2222, 2223, 2224, 2400, 2403, 2405, 2407, 2439, 2440, 2447, 2457, 2475, 2496, 2809, 2955, 2981, 2982, 2984, 2989, 2991, 2993, 3204, 3208, 3214, 3224, 3242, 3463, 3489, 3502, 3595, 3607, 3608, 3614, 3751, 3801, 3847,

Health Care
Financing,—
study.

4130, 4282 and 4361, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning matters relative to the financing and delivery of health care (House, No. 4528).

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1795, 1802, 1814, 1816, 1835, 1836, 1838, 1839, 1855, 1869, 1870, 1885, 1887, 1889, 1907, 1910, 1911, 1912, 1914, 2720 and 2727, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning matters relative to transportation (House, No. 4537).

Transportation,—
study.

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

Subsequently, 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. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 53 and House, No. 75, that the Bill relative to familial dysautonomia (House, No. 75) ought to pass [Cost: Greater than \$100,000.00].

Familial
dysautonomia.

By the same member, for the same committee, on Senate, No. 144 and House, No. 195, that the Bill to provide increased access to hearing aids (House, No. 195) ought to pass [Cost: Greater than \$100,000.00].

Hearing
aids.

By the same member, for the same committee, on Senate, No. 511 and House, No. 581, that the Bill relative to ensuring treatment for genetic craniofacial conditions (House, No. 581) ought to pass [Cost: Greater than \$100,000.00].

Craniofacial
treatments.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Protecting the health and safety of people in restaurants (House, No. 2431) [Cost: Greater than \$100,000.00];

Restaurants,—
safety.

Relative to the health care of minors (House, No. 2468) [Cost: Greater than \$100,000.00]; and

Minors,—
healthcare.

To ensure compliance with the anti-shackling law for pregnant incarcerated women (House, No. 2494) [Cost: Greater than \$100,000.00].

Anti-
shackling.

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

Orders of the Day.

The House Bill authorizing the merger of the Salvation Army of Massachusetts, Inc. into the Salvation Army, a New York corporation (House, No. 3691), having been 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. Sent to the Senate for concurrence.

Third
reading
bill.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, MAY 29, 2018.

[57]

JOURNAL OF THE HOUSE.

Tuesday, May 29, 2018.

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.

Statement of Representative Decker of Cambridge.

A statement of Ms. Decker of Cambridge was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for a portion of the session held on Wednesday, May 23, because I was asked to attend a meeting in the Speaker's office. As a result, I missed the vote on passing to be engrossed, in concurrence, the Senate Bill relative to veterans' benefits, rights, appreciation, validation and enforcement (Senate, No. 2509, amended). Had I been present, I would have voted in the affirmative. My missing of roll call No. 361 was due entirely to the reason stated.

Statement of
Ms. Decker
of Cambridge.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, students from Northbridge High School. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Muradian of Grafton.

Northbridge
High School.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) honoring Sergeant James J. Delaney; and

James
Delaney.

Resolutions (filed by Mr. McMurtry of Dedham) honoring Gerard R. Lavoie on his retirement from the Dedham Institution for Savings;

Gerard
Lavoie.

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

Communications.

Communications

From the Department of Elementary and Secondary Education (see item 7061-9408 of Chapter 47 of the Acts of 2017 and Section 1J(z) of Chapter 69 of the General Laws) submitting a report relative to targeted intervention to schools and districts at risk of or determined to be underperforming; and

Schools,—
targeted
intervention.

From the Center for Health Information and Analysis (see Section 132 of Chapter 47 of the Acts of 2017) submitting a report relative to the costs associated with the hospitalization of medically complex pediatric home care patients;

Hospital costs,—
pediatric
home care.

Severally were placed on file.

Reports.

A report of the House committee on Post Audit and Oversight (under the provisions of Section 63 of Chapter 3 of the General Laws) entitled: Raising the Bar: A Vision for Improving Mandated Reporting Practices in the Commonwealth; and

Post Audit
and Oversight,—
mandated
reporting.

A quarterly report from the Department of Unemployment Assistance (see Section 14F of Chapter 151A of the General Laws) relative to the status of the Unemployment Insurance Trust Fund and updated projections for the 2018 through 2022 outlook period;

Unemployment
Insurance
Trust Fund.

Severally were placed on file.

Petition.

A petition (subject to Joint Rules 12 and 9) of Representative Jones of North Reading and Senator Tarr (by vote of the town of Andover and by vote of the town of North Reading) that the town of Andover and the town of North Reading be authorized to enter into an agreement for the supply of potable water (having been returned from the State Secretary with memorandum relative thereto), was referred, under Rule 24, to the committee on Rules.

Andover and
North Reading,—
potable water.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rules 12 and 9 be suspended. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Paper from the Senate.

A Bill establishing a sick leave bank for Lisa Fuccione, an employee of the Department of Public Health (Senate, No. 2522) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lisa
Fuccione,—
sick leave.

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

UNCORRECTED PROOF.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

Reports of Committees.

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

Amending the charter of the city known as the town of Bridgewater (House, No. 4500) [Local Approval Received]; and

Bridgewater,—
charter.

Authorizing the county of Dukes County to borrow funds to pay costs of wastewater treatment facility improvements at the Martha's Vineyard Airport (House, No. 4506);

Dukes County,—
wastewater.

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. Galvin of Canton, for the committee on Rules, that the following bills ought to pass:

The Senate Bill to promote and enhance civic engagement (Senate, No. 2375); and

Civic
engagement.

The House Bill providing for a study to be conducted on the cost feasibility of implementing a ferry service to Long Island in Boston Harbor (House, No. 1800);

Long Island,—
Boston Harbor.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Bill to provide diabetes prevention program benefits (House, No. 1362), ought to pass [Cost: Greater than \$100,000.00].

Diabetes,—
prevention.

By the same member, for the same committee, that the Bill providing a bone marrow registry for firefighter candidates (House, No. 1444), ought to pass [Cost: Greater than \$100,000.00].

Firefighters,—
bone marrow
registry.

By the same member, for the same committee, that the Bill pertaining to firefighter disability (House, No. 1446), ought to pass [Cost: Greater than \$100,000.00].

Firefighters,—
cancer
network.

By the same member, for the same committee, that the Bill relative to Parkinson's disease disability and death in firefighters (House, No. 1455), ought to pass [Cost: Greater than \$100,000.00].

Firefighters,—
Parkinson's
disease.

By the same member, for the same committee, that the Bill relative to an agricultural healthy incentives program (House, No. 2131), ought to pass [Cost: Greater than \$100,000.00].

Healthy
food
programs.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, on a petition, Bill relative to protecting health care consumers (House, No. 2218) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Health care
consumers.

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House reports be scheduled for

consideration by the House:

Of the committee on Labor and Workforce Development, ought NOT to pass, on the petition (accompanied by bill, House, No. 2360) of Tackey Chan relative to workers' compensation insurance [Mr. Rogers of Norwood, of the committee on Labor and Workforce Development, dissenting]; and

Workers' compensation insurance.

Of the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2364) of David F. DeCoste relative to the right to organize of certain workers [Mr. Rogers of Norwood, of the committee on Labor and Workforce Development, dissenting];

Organization of workers.

Severally placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Felix Cruz, an employee of the Department of Youth Services (see House, No. 4381), 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.

Felix Cruz,— 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 5 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Audry Art, an employee of the Department of Children and Families (see House, No. 4451), 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.

Audry Art,— 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 5 to 0. Sent to the Senate for concurrence.

Orders of the Day.

The Senate amendments of the House Bill establishing a sick leave bank for Elliot Brown, an employee of the Executive Office of Health and Human Services (House, No. 4267, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Elliot Brown,— sick leave.

The Senate Bill increasing parking fines in the city of Gloucester (Senate, No. 2223), 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.

Gloucester,— parking fines.

House bills

Repealing a certain act increasing the expenditure limit on revolving funds in the city of Attleboro (House, No. 4299); and

Attleboro,— expenditures.

Relative to water meter ordinance violations – penalties and liens in the city of Revere (House, No. 4458);

Revere,— ordinances.

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.

UNCORRECTED PROOF.

House bills

To authorize the town of Foxborough to establish additional mandated reporters in the town of Foxborough for the purposes of the protection and care of children (House, No. 76);

Relative to municipal deposits (House, No. 1081);

Further regulating the Commission on Falls Prevention (House, No. 1164);

Relative to fire safety (House, No. 1306);

Relative to energy efficiency (House, No. 1724, changed);

To increase safety on public ways (House, No. 1819);

Criminalizing sexual assault by fraud by a medical professional (House, No. 2289);

Relative to handicap automobile licenses or placards (House, No. 2425);

Relative to rail-trail construction (House, No. 2831, changed);

Supporting municipal fiscal stability through a special education stabilization fund (House, No. 3216);

To increase residency preference for appointment at Boston Police Department and Boston Fire Department to three years (House, No. 3537); and

Relative to farmers' markets (House, No. 4233);

Severally were read a second time; and they were ordered to a third reading.

Second
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 30, 2018.

[58]*

JOURNAL OF THE HOUSE.

Wednesday, May 30, 2018.

Met according to adjournment at eleven o'clock A.M. 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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the student government from the Morton Middle School in Fall River. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Ms. Fiola of Fall River.

Fall River,—
Morton
Middle School.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the eighth grade students from the St. Michael's School in Lowell. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Golden of Lowell.

Lowell,—
St. Michael's
School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced students and teachers from the Marjory Stoneham Douglas High School in Parkland, Florida. Students Madison Leal, Maayan Mizrahi and Rebecca Schneid, accompanied by their teacher Laurie Edgar, were visiting as a part of the Rising Seniors program. They were the guests of Speaker DeLeo and Representative Decker of Cambridge.

Marjory
Stoneham
Douglas High
School students.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess, and introduced members of the Irish United Nations Veterans Association, an organization that provides guidance and assistance to members who have served in global peace keeping efforts and who have completed a tour of duty under the United Nations. Mr. Ultrino of Malden then took the Chair and thanked the association for never forgetting the courageous and faithful service of their fellow veterans. They were the guests of Representatives Donato, Ultrino and Brodeur of Melrose.

Irish United
Nations Veterans
Association.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Zeke Elgart, Marissa Elgart and Katelyn Pacheco. Zeke, a first grade student at the Assawompset Elementary School in Lakeville, was selected as a regional winner of the School Building Authority's 12th annual MSBA My Ideal School contest. They were the guests of Mrs. Orrall of Lakeville.

Zeke Elgart,
Marissa Elgart
and Katelyn
Pacheco.

Resolutions.

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

Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) congratulating Sean Thomas Corriveau on receiving the Eagle Award of the Boy Scouts of America;

Sean
Corriveau.

Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) congratulating Matthew John Ferraro on receiving the Eagle Award of the Boy Scouts of America;

Matthew
Ferraro.

Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) congratulating Jonathan Douglas Stasiukevicius on receiving the Eagle Award of the Boy Scouts of America; and

Jonathan
Stasiukevicius.

Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) congratulating Vincent Webster on receiving the Eagle Award of the Boy Scouts of America;

Vincent
Webster.

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 Ms. Fiola of Fall River, 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 Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 4547) of Stephen Kulik (by vote of the town) that the town of Whately be authorized to continue the employment of John Hannum as fire chief in said town; and

Whately,—
John
Hannum.

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4548) of David T. Vieira, Viriato M. deMacedo and Dylan Fernandes (by vote of the town) that the town of Falmouth be authorized to continue the employment of police chief Edward Dunne;

Falmouth,—
Edward
Dunne.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Representatives Ferguson of Holden and Zlotnik of Gardner presented a petition (subject to Joint Rule 12) of Kimberly N. Ferguson, Jonathan D. Zlotnik and Stephan Hay that the commissioner of Capital Asset Management and Maintenance, in consultation with the Department of Conservation and Recreation, be authorized to convey to the town of Westminster a certain parcel of land located within the Leominster State Forest; and the same was referred, under Rule 24, to the committee on Rules.

Westminster,—
land.

Paper from the Senate.

A petition (accompanied by bill) of Joan B. Lovely for legislation to direct the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority, came from the Senate

Salem—
land.

referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2533) 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 Mark J. Cusack relative to the examination of evidence rooms and evidentiary procedures. To the committee on the Judiciary.

Petition (accompanied by bill) of Jeffrey N. Roy and Richard J. Ross for legislation to establish a sick leave bank for Jodi Cipriano, an employee of the Department of Developmental Services. To the committee on Public Service.

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

Evidence
rooms.

Jodi
Cipriano,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Steering Policy and Scheduling, that the Senate Bill further regulating the Commission on Falls Prevention (Senate No. 1208), be scheduled for consideration by the House.

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

Falls Prevention
Commission.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to the release of a restriction on land in the city of Taunton (printed in House, No. 3712), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Taunton,—
land.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the following bills ought to pass:

Authorizing the transfer of care and control of certain parcels of land in Middleborough from the Department of Corrections to the Department of Fish and Game (printed in House, No. 4261); and

Authorizing the Department of Fish and Game to acquire land of the town of Dalton (House, No. 4301, changed).

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

Mr. Murphy of Weymouth, for said committee then reported, in each instance, recommending that bills be scheduled for consideration by the House.

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

Middleborough,—
land.

Dalton,—
land.

UNCORRECTED PROOF.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Bill establishing a special commission on adult guardianship and conservatorship practices (House, No. 4456);

Of the Bill [sic] foster parents bill of rights (House, No. 4492); and

Of the Bill establishing a special commission to study the feasibility of a senior center building authority (House, No. 4495);

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.

Adult guardianship.
Foster parents.
Senior centers.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 391, 417, 450, 463, 2111, 2112, 2115, 2117, 2126, 2130 and 2137, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning water quality and wetlands (House, No. 4544). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Environment,
Natural Resources
and Agriculture,—
study.

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. Roy of Franklin, for the committee on Health Care Financing, that the Bill negating archaic statutes targeting young women (Senate, No. 2260, amended), ought to pass [Cost: Greater than \$100,000.00]. Referred, under Rule 33, to the committee on Ways and Means.

Archaic statutes.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the appointment of special police officers in the city of Springfield (House, No. 4478) [Local Approval Received].

Springfield,—
officers.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Beverly to employ Paul Cotter as Fire Chief beyond the statutory requirement age (House, No. 4488) [Local Approval Received].

Beverly,—
Paul Cotter.

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 Elliot Brown, an employee of the Executive Office of Health and Human Services (see House, No. 4267, 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.

Elliot
Brown,—
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.

Engrossed Bills.

Engrossed bills

Establishing a sick leave bank for Felix Cruz, an employee of the Department of Youth Services (see House, No. 4381); and

Bills enacted.

Establishing a sick leave bank for Audry Art, an employee of the Department of Youth Services (see House, No. 4451);

(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.

The engrossed Bill increasing parking fines in the city of Gloucester (see Senate, No. 2223) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Recess.

At twenty-four minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-seven minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Prior to the noon recess, Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to community benefit districts (House, No. 4385), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4546). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Community benefit districts.

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

Under suspension of Rule 7A, on motion of Ms. Fiola of Fall River, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 149 members voted in the affirmative and 2 in the negative.

Bill passed to be engrossed,—yea and nay No. 362.

[See Yea and Nay No. 362 in Supplement.]

Therefore the bill (House, No. 4546) was passed to be engrossed. Sent to the Senate for concurrence.

Motions to Discharge Certain Matters in the Orders of the Day.

Mrs. Haddad of Somerset in the Chair,—

The Senate Bill establishing a sick leave bank for Lisa Fuccione, an employee of the Department of Public Health (Senate, No. 2522), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Parisella of Beverly; and it was passed to be engrossed, in concurrence.

Lisa
Fuccione,—
sick leave.

Mr. Donato of Medford in the Chair,—

The House Bill establishing a sick leave bank for Paul Walsh, an employee of the Department of Correction (House, No. 4452) (its title having been changed by the committee on Bills in the Third Reading), reported by the said committee to be correctly drawn, was discharged from its position in the Orders of the Day, read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

Paul
Walsh,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 7 by striking out the words “Department of Corrections paid” and inserting in place thereof the words “extended illness”.

The amendment was adopted; and the bill (House, No. 4452, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to disability benefits (House, No. 2515), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, read a third time forthwith, under suspension of Rule 47, on motion of Mr. Parisella of Beverly.

Disability
benefits.

After debate on the question on passing the bill to be engrossed, Mr. Sánchez of Boston moved to amend it by adding the following two sections:

“SECTION 2. Section 94B of chapter 32 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word ‘skin’, in line 3, the following words:—, breasts.

SECTION 3. Said section 94B of said chapter 32 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘oral’, in line 4, the following words:—, reproductive.”.

Pending the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 363.

[See Yea and Nay No. 363 in Supplement.]

Therefore the amendment was adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Parisella of Beverly; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 364.

[See Yea and Nay No. 364 in Supplement.]

Therefore the bill (House, No. 2515, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Reports of Committees.

Prior to the noon recess, Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill to promote and enhance civic engagement (Senate, No. 2375), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4545. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Civic
engagement.

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

Under suspension of Rule 7A, on motion of Ms. Fiola of Fall River, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2375, amended) was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Dooley of Norfolk moved to amend it by adding the following section:

“SECTION 5. Chapter 69 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 1P the following section: -

Section 1Q. a) All school committees and school districts, public and private, shall provide a civics test for all high school students prior to graduation. Beginning in the 2020-2021 school year, a pupil must correctly answer at least 60 of the 100 questions listed on said civics test, which shall be identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services, in order to graduate from high school or obtain a general equivalency diploma. A pupil who does not obtain a passing score of at least 60 of 100 on said test may retake the test until the pupil obtains a passing score of at least 60 out of 100. Pupils who receive special education shall not be required to achieve passing scores on said civics test in order to graduate from high school.

b) The department of elementary and secondary education shall establish rules and regulations for monitoring adherence to the requirements of subsection (a).”

After remarks the amendment was rejected.

The same member then moved to amend the bill in section 2 (as published), in line 54, by striking out the words “provide each student with the opportunity to” and inserting in place thereof the words “mandate that each student”;

In section 1, in line 12, in section 2 (as published), in lines 48, 51, 55, and 56, in section 3 (as published), in line 70, and in section 4 (as published), in line 78, by striking out the word “may” and inserting in place thereof, in each instance, the word “shall”; and

By adding the following section:

“SECTION 5. All provisions of this Act shall take effect by the 2020-2021 school year.”

The amendments were rejected.

Representatives Campbell of Methuen, Kaufman of Lexington and Vargas of

UNCORRECTED PROOF.

Haverhill then moved to amend the bill in section 2 (as published), in line 61 by adding the following sentence: “All school improvement plans for middle and high schools shall include a description of the status of said civics projects.”; and the amendment was adopted.

Mr. Vargas of Haverhill then moved to amend the bill in section 1, in line 12, by inserting after the word “fund” the words “may focus on underserved communities across the commonwealth, including those school districts with high concentrations of economically disadvantaged students, and”; and the amendment was adopted.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and at the request of Ms. Peisch of Wellesley; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 365 in Supplement.]

Therefore the bill (Senate, No. 2375, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4545, amended).

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for David Palazzo, an employee of the Department of Developmental Services (House, No. 4508).

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Sandra Elizabeth Smith, an employee of the Massachusetts Department of Developmental Services (House, No. 4509).

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

Mr. Murphy of Weymouth, for said committee, then reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Parisella of Beverly, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Bill passed to
be engrossed,—
yea and nay
No. 365.

David
Palazzo,—
sick leave.

Sandra
Smith,—
sick leave.

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at nineteen minutes before five o’clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 31, 2018.

[59]

JOURNAL OF THE HOUSE.

Thursday, May 31, 2018.

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 Prayer.

At the request of Mr. Pignatelli of Lenox the members, guests and employees stood in a moment of silent tribute in respect to the memory of Philip Franklin Heller of Stockbridge who passed away on Wednesday, May 30, 2018, after a long and courageous battle with cancer.

Philip
Franklin
Heller.

For 6 years Philip was a Public Defender for the Massachusetts' Defenders Committee. He also served as Special Prosecutor for the Berkshire County District Attorney's office, a position he held for 8 years. He served in the New York State National Guard and the Massachusetts Army Reserve from 1969 through 1975.

Philip received his Bachelor's degree from Adelphi University, did graduate studies in Urban Affairs at American University and received a Juris Doctor degree from Suffolk University Law School.

He was known for his generosity in providing pro bono legal work for many local non-profits, including Shakespeare and Company and The Berkshire Theater Festival. He served on the board of Edward J. Madden Open Hearts Camp for 40 years.

Philip was the beloved husband of Anita Heller, devoted father to Elizabeth Pyle, loving father-in-law to Jeffrey Pyle, proud grandfather to Lucy and Emily Pyle and dear brother to Frederic Heller.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the third grade students from the Graham and Parks School in Cambridge, including Representative Decker's son, Brendan. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Ms. Decker of Cambridge.

Cambridge,—
Graham and
Parks School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the third grade students and teachers from the Thomas V. Nash Primary School in Weymouth. They were the guests of Mr. Murphy of Weymouth.

Weymouth,—
Nash School.

Resolutions.

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

Resolutions (filed by Speaker DeLeo of Winthrop and Representative Vincent of Revere) congratulating Florence Esther “Floffie” Novoselsky on her one hundredth birthday;

Florence
Novoselsky.

Resolutions (filed by Ms. Hogan of Stow and other members of the House) recognizing the month of May as Skin Cancer Awareness and Detection Month; and

Skin cancer
awareness month.

Resolutions (filed by Mr. Wagner of Chicopee) commending the Biotechnology Innovation Organization on its twenty-fifth anniversary;

Biotechnology
Innovation.

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

Petitions.

Representative Frost of Auburn and Senator Moore presented a joint petition (accompanied by bill, House, No. 4551) of Paul K. Frost and Michael O. Moore (by vote of the town) that the town of Auburn be authorized to relocate Faith Avenue and convey remnant parcels of real property in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Auburn,—
land.

Mr. Brodeur of Melrose presented a petition (subject to Joint Rule 12) of Paul Brodeur for legislation to establish a sick leave bank for Robert F. Dunphy, Jr., an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Robert
Dunphy,—
sick leave.

Papers from the Senate.

The House Order (House, No. 4415, amended) relative to extending until Thursday May, 31, 2018, the time within which the committee on Economic Development and Emerging Technologies is authorized to report on current Senate documents numbered 175, 182, 185 and 2273 and House document numbered 4297, came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment striking out the date: “Thursday, May 31” and inserting in place thereof the date: “Friday, June 15”.

Economic
Development
and Emerging
Technologies,—
extension of
time for
reporting.

Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee, the amendment was considered forthwith; and it was adopted, in concurrence.

Reports

Of the committee on Health Care Financing, asking to be discharged from further consideration of the

Senate bills

To assist families caring for elders (Senate, No. 43);

Relative to cueing and supervision in the PCA program (Senate, No. 60);

Elders.
PCA program.

UNCORRECTED PROOF.

Ensuring consumer choice and equal access to eye care (Senate, No. 1242); To contain health care costs and improve access to value based nurse practitioner care as recommended by the IOM and FTC (Senate, No. 1257); Relative to the definition of podiatry (Senate, No. 1260); To improve patient access to cancer clinical trial programs (Senate, No. 2159); and Advancing and expanding access to telemedicine services (Senate, No. 2471); and House bills Ensuring consumer choice and equal access to eye care (House, No. 1169); Relative to a special commission to study electric and magnetic fields (House, No. 1192); Relative to the definition of podiatry (House, No. 2450); and To contain health care costs and improve access to value based nurse practitioner care as recommended by the IOM and FTC (House, No. 2451); and Petition (accompanied by bill, Senate, No. 606) of Harriette L. Chandler, Kate Hogan, Diana DiZoglio, Carolyn C. Dykema and other members of the General Court for legislation to establish criteria for Masshealth hardship waivers; and Petition (accompanied by bill, Senate, No. 607) of Harriette L. Chandler for legislation relative to liability for medical assistance paid; Petition (accompanied by bill, Senate, No. 629) of Patricia D. Jehlen, Brendan P. Crighton, Thomas M. McGee, Jason M. Lewis and other members of the General Court for legislation to preserve special needs trusts for disabled seniors; Petition (accompanied by bill, Senate, No. 635) of Eric P. Lesser, Jason M. Lewis and Barbara A. L'Italien for legislation to improve the accessibility and affordability of pharmaceutical drugs of public health concern; Petition (accompanied by bill, Senate, No. 639) of Jason M. Lewis, Brendan P. Crighton, Thomas M. McGee, Jack Lewis and other members of the General Court for legislation to update Medicaid resource limits for seniors; Petition (accompanied by bill, Senate, No. 640) of Jason M. Lewis, James M. Cantwell, Thomas M. McGee, Jack Lewis and other members of the General Court for legislation relative to Medicare savings programs eligibility; Petition (accompanied by bill, Senate, No. 658) of Marc R. Pacheco, Angelo L. D'Emilia, Michael F. Rush, Sal N. DiDomenico and other members of the General Court for legislation to remove the restrictions on the licenses of certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission; Petition (accompanied by bill, Senate, No. 1176) of Cynthia S. Creem for legislation to make a technical changes to the Betsy Lehman Center for Patient Safety and Medical Error Reduction enabling statute; Petition (accompanied by bill, House, No. 2452) of Paul J. Donato and others relative to nurses and nurse anesthetists; and Petition (accompanied by bill, House, No. 3956) of Denise Rochon relative to recovery of costs for certain medical assistance; And recommending the same severally be referred to the Senate committee on Ways and Means. Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, insomuch as relates to the discharge of the joint committee.	Eye care. Nurse practitioners. Podiatry. Clinical trials. Telemedicine. Eye care. Electric and magnetic fields. Podiatry. Nurse practitioners. MassHealth Hardship waivers. Medical assistance. Disabled seniors. Pharmaceutical drugs. Medicaid resource limits. Medicare savings programs. Nurse anesthetists. Lehman Center. Nurse anesthetists. Medical assistance.
--	---

Reports of Committees.

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

Authorizing the appointment of special police officers in the city of Springfield (House, No. 4478) [Local Approval Received]; and

Springfield,—
officers.

Authorizing the city of Beverly to employ Paul Cotter as Fire Chief beyond the statutory requirement age (House, No. 4488) [Local Approval Received];

Beverly,—
Paul Cotter.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 392, 424, 426, 434, 436, 462, 464, 2133, 2136, 2138 and 2920, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning pollution and sewers (House, No. 4550). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Environment,
Natural Resources
and Agriculture,—
study.

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 reports severally were considered forthwith; and they were accepted.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Ensuring equal access to services for all residents of the Commonwealth (House, No. 2804) [Cost: Greater than \$100,000.00].

Access to
services.

To require employers to employed individuals to be trained in OSHA (House, No. 3136) [Cost: Greater than \$100,000.00].

OSHA
training.

Extending protections to employees of the Commonwealth (House, No. 3149) [Cost: Greater than \$100,000.00].

Promoting
employment.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Lisa Fuccione, an employee of the Department of Public Health (see Senate, No. 2522), 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.

Lisa
Fuccione,—
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 5 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 sent to the Senate.

Bill
enacted.

UNCORRECTED PROOF.

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Elliot Brown, an employee of the Executive Office of Health and Human Services (see House, No. 4267, amended) (which originated in the House), 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.

Orders of the Day.

House bills

Providing for an early retirement incentive program for employees of the Massachusetts Port Authority (House, No. 2566); and

Regulating the use of credit reports by employers (House, No. 3153);

Severally were read a second time; and they were ordered to a third reading.

Second
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At a quarter before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JUNE 4, 2018.

[60]

JOURNAL OF THE HOUSE.

Monday, June 4, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Equity and Fairness, we ask Your blessing upon the women and men who serve our Commonwealth in this chamber. Bless also the many who work throughout this historic building and maintain its beauty and daily operations.

Prayer.

We give thanks to You God for the town of Rehoboth in Bristol County which today celebrates its 1645 incorporation.

One of the larger towns by land area in Massachusetts, Rehoboth is Hebrew for enlargement.

Rehoboth played a big role during the King Philip's War with numerous battles, loss of life and the eventual capture and execution of Anawam, the chief Sachem after the death of King Philip, marking the end of the colonial war.

Upon incorporation, members of Rehoboth elected to collect funds to pay a teacher for the settlement's children, thus laying its claim as the birthplace for public education.

We pray for 4th Bristol Representative Steven Howitt and his staff.
May God continue to bless our Commonwealth.

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 relative to protecting the rights of custodial and other non-teaching employees of school districts [see House, No. 1390] (for message, see House, No. 4556), was filed in the office of the Clerk on Thursday, May 31.

School
employees.

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 Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Resolutions.

UNCORRECTED PROOF.

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

Resolutions (filed by Representatives Cassidy of Brockton, Cronin of Easton and DuBois of Brockton) recognizing June 15, 2018 as the World Elder Abuse Awareness Day;

Resolutions (filed by Mr. Linsky of Natick) congratulating Amanda Grace Dye on receiving the Gold Award of the Girl Scouts of the United States of America;

Resolutions (filed by Mr. Linsky of Natick) congratulating Jessica Lynch on receiving the Gold Award of the Girl Scouts of the United States of America;

Resolutions (filed by Messrs. Parisella of Beverly and Tucker of Salem) congratulating Dr. Steven D. Immerman on his retirement as President of Montserrat College of Art;

Resolutions (filed by Ms. Peisch of Wellesley) honoring Georgia Harper on receiving the Gold Award from the Girl Scouts of America;

Resolutions (filed by Ms. Peisch of Wellesley) honoring Susanna Mirick on receiving the Gold Award from the Girl Scouts of America;

Resolutions (filed by Mr. Rogers of Norwood) congratulating Michael Richard Kirkland of Norwood Boy Scout Troop 49 on earning the Eagle Scout Award; and

Resolutions (filed by Mr. Whelan of Brewster) congratulating Rob and Meryl Gartside for their many years of friendship and service to the Brewster Council on Aging;

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

Elder Abuse Awareness Day.

Amanda Dye.

Jessica Lynch.

Steven Immerman.

Georgia Harper.

Susanna Mirick.

Michael Kirkland.

Rob and Meryl Gartside.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 4559) of James Arciero (by vote of the town) that the town of Westford be authorized to establish a real property exemption for certain disabled persons; and

By Mr. Moran of Lawrence, a petition (accompanied by bill, House, No. 4560) of Frank A. Moran (by vote of the town) that the town of Andover be authorized to establish a means tested senior citizen property tax exemption in said town;

Severally to the committee on Revenue.

Severally sent to the Senate for concurrence.

Westford,—
property tax exemption.

Andover,—
property tax exemption.

Ms. Campanale of Leicester presented a petition (subject to Joint Rule 12) of Kate D. Campanale and Geoff Diehl for adoption of resolutions by the General Court requesting the Governor (with the consent of the Council) to remove Thomas H. Estes Jr., from the office of the District Court of Eastern Hampshire County; and the same was referred, under Rule 24, to the committee on Rules.

Judgeship,—
removal.

Papers from the Senate.

The House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond

General Appropriation Bill.

requirements and for certain permanent improvements (House, No. 4401), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2530.

Under suspension of Rule 35, on motion of Mr. Sánchez of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Sánchez, Kulik of Worthington and Smola of Warren were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Spilka, Lovely and deMacedo had been appointed the committee on the part of the Senate.

Id.

A petition (accompanied by bill, Senate, No. 2532) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to create senior tax relief in the town of Carver, was referred, in concurrence, to the committee on Revenue.

Carver,— senior tax relief.

A petition (accompanied by bill) of Walter F. Timilty for legislation to establish a sick leave bank for James Lovett, an employee of the Department of Conservation and Recreation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

James Lovett,— sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2539) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Sánchez of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 4045), recommending passage of a bill with the same title (House, No. 4549) [Bond Issue: \$3,872,849,575.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Capital improvements.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

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 Shawn Dooley relative to the definition of consistent with local needs under the affordable housing law. To the committee on Housing.

Affordable housing.

Petition (accompanied by bill) of Kimberly N. Ferguson, Jonathan D. Zlotnik and Stephan Hay that the commissioner of Capital Asset Management and Maintenance, in consultation with the Department of Conservation and Recreation,

Westminster,— land.

be authorized to convey to the town of Westminster a certain parcel of land located within the Leominster State Forest. To the committee on State Administration and Regulatory Oversight.

Joint petition (accompanied by bill) of Kenneth I. Gordon and Cindy F. Friedman for legislation to designate a certain bridge in the town of Burlington as the Lance Corporal Gregory E. MacDonald memorial bridge. To the committee on Transportation.

Burlington,—
MacDonald
bridge.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the towns of Andover and North Reading to enter into an agreement for the supply of potable water (House, No. 4552) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Andover
and North
Reading,—
water.

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

Under suspension of the rules, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

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

Proclaiming May as aviation awareness month (Senate, No. 1717); and

Aviation.

Requiring the flag of the Commonwealth to be flown at half-staff on state buildings and installations on September 11 of each year (Senate, No. 1820);

State property,—
flags.

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

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on House, Nos. 1063, 1069, 1072, 1073, 1074, 2269, 2389, 2390, 2393, 2398, 2399, 2406, 2409, 2410, 2411, 2413, 3203, 3509 and 3510, an Order relative to authorizing the committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain House documents concerning mental health, substance use and recovery (House, No. 4557). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mental Health,
Substance Use and
Recovery,—
study.

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. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill promoting climate change adaptation,

Environmental
bonds.

UNCORRECTED PROOF.

environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4558) [Bond Issue: General Obligation Bonds: \$1,811,879,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Mr. Galvin of Canton, for the committee on Rules, on the Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning financing and delivery of health care in the Commonwealth (House, No. 4528) reported, in part, a Bill relative to nurse licensure compact in Massachusetts (House, No. 1188). Read; and referred, under Rule 33, to the committee on Ways and Means.

Nurse licensure compact.

By Mr. Parisella of Beverly, for the committee on Public Service, on Senate, No. 2074, Appendix A, a Bill relative to pension forfeiture (House, No. 4555).

Pension forfeiture.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 4468, a Bill establishing a federal transit funding maximization fund (House, No. 4564).

Transit funding.

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

Orders of the Day.

House bills

Authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels to the town of Shrewsbury (House, No. 4312); and

Third reading bills.

Establishing a sick leave bank for David Palazzo, an employee of the Department of Developmental Services (House, No. 4508);

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 House Bill authorizing the town of Falmouth to transfer a parcel of land commonly known as the Farley Bog (House, No. 4341), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Falmouth,—land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4561), 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 increasing the annual compensation of the Peabody Municipal Light Plant commissioners (House, No. 4447), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Peabody,—light commissioners.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by adding the following section:

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

The amendment was adopted; and the bill (House, No. 4447, amended) was

UNCORRECTED PROOF.

passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-four minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JUNE 6, 2018.

[61]*

JOURNAL OF THE HOUSE.

Wednesday, June 6, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Righteousness and Fairness, we pray today for our elected officials as they continue to work on the behalf of their constituents. May they be guided by Your Spirit of Truth and Justice.

Prayer.

Today we remember a son of the Commonwealth whose death at just age 42 occurred 50 years ago. Robert Francis Kennedy was born in Brookline in 1925 and at the time of his death he had kept a residence in Massachusetts in Hyannisport.

While there will be many tributes to this public servant throughout the nation today, we here offer our simple prayer that the inspiration he received as a youth while growing up in the Bay State may be instilled in today's young people of Massachusetts.

To quote Bobby Kennedy:

"Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation."

May God continue to bless our Commonwealth.

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.

A message from His Excellency the Governor (under the provisions of Section 3 of Article LXII of the Amendments to the Constitution) recommending legislation relative to providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 4573), was filed in the office of the Clerk on Monday, June 4.

Bonding,—
terms.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

Statement Concerning Representative Naughton of Clinton.

A statement of Mr. Mariano of Quincy concerning Mr. Naughton of Clinton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Naughton of Clinton, is unable to be present

Statement
concerning
Mr. Naughton

UNCORRECTED PROOF.

in the House Chamber for today's sitting due to his being on active duty with the Army National Guard and attending to matters outside of the Commonwealth. His missing of roll calls this week and next week will be due entirely to the reason stated.

of Clinton.

Resolutions.

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

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Curtis McNeil O'Regan on receiving the Eagle Scout Award of the Boy Scouts of America;

Curtis
O'Regan.

Resolutions (filed by Representatives Poirier of North Attleborough and Hawkins of Attleboro) congratulating Joan Ricci on the occasion of her retirement from the Literacy Center in Attleboro;

Joan
Ricci.

Resolutions (filed by Ms. Hogan of Stow) congratulating Lizett G. Frias for receiving a Portuguese Heritage Award from the Portuguese-American Legislative Caucus;

Lizett
Frias.

Resolutions (filed by Ms. Hogan of Stow) congratulating Rosemary Rimkus for being recognized as a 2018 Unsung Heroine;

Rosemary
Rimkus.

Resolutions (filed by Mr. Linsky of Natick) congratulating Lynda Simkins on the occasion of her retirement from the Natick Community Organic Farm;

Lynda
Simkins.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Elijah Lorenzana on receiving the Eagle Award from the Boy Scouts of America; and

Elijah
Lorenzana.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Evan Jenness on receiving the Eagle Award of the Boy Scouts of America;

Evan
Jenness.

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

Petition.

Representative Donato of Medford and Senator Lewis presented a joint petition (accompanied by bill, House, No. 4574) of Paul J. Donato, Jason M. Lewis and Steven Ultrino (with the approval of the mayor and city council) that the city of Malden be authorized to continue to employ and compensate Barbara O'Brien; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Malden,—
Barbara
O'Brien.

Papers from the Senate.

The House Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4501, amended), came from the Senate with the endorsement that it had been engrossed, in concurrence, by said branch with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2531, amended in section 2, in line 60, striking out the figures: "\$5,000,000" and inserting in place thereof the figures: "\$10,000,000".

Life
sciences.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn.

Mr. Wagner of Chicopee then moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 4572; and 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 House Bill establishing a sick leave bank for Gloria Phillips, an employee of the Division of Industrial Accidents (House, No. 4336, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 5 inserting after the name "Phillips" the words "to care for her child". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Gloria
Phillips,—
sick leave.

The House Bill establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 4 inserting after the name "Benitez" the words "to care for her child". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Maria
Benitez,—
sick leave.

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the Senate Bill to increase consumer transparency about insurance provider networks (Senate, No. 2523), and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

Insurance,—
provider
networks.

A petition (accompanied by bill, Senate, No. 2540) of Michael F. Rush and Angelo M. Scaccia (with the approval of the mayor and city council) for legislation relative to a certain parcel of conservation land in the city of Boston, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Boston,—
land.

Reports of Committees.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 396, 401, 403, 405, 406, 410, 411, 455, 468 and 471, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning oceans and waterways (House, No. 4571). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Environment,
Natural Resources
and Agriculture,—
study.

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. Roy of Franklin, for the committee on Health Care Financing, that the

Drug
coverage.

UNCORRECTED PROOF.

Bill relative to certain genetically targeted drug coverage for Duchenne Muscular Dystrophy (House, No. 3644), ought to pass with an amendment in section 2, in line 30, by inserting after the word “patient” the words “, provided however, that MassHealth shall adhere to FDA approved clinical necessity criteria” [Cost: Greater than \$100,000.00].

By the same member, for the same committee, that the Bill relative to the provision of health insurance and other benefits in the town of Huntington (House, No. 4308) [Local Approval Received], ought to pass with an amendment substituting therefor a Bill relative to health insurance in the town of Huntington (House, No. 4570) [Cost: Greater than \$100,000.00].

Huntington,—
health
insurance.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 556 and House, No. 2202, that the Bill to help patients and reduce health care costs by ensuring patient adherence to medications (House, No. 2202), ought to pass [Cost: Greater than \$100,000.00].

Patients,—
medications.

By the same member, for the same committee, on Senate, No. 1192 and House, No. 3237, that the Bill relative to emergency medical services oversight (House, No. 3237), ought to pass [Cost: Greater than \$100,000.00].

Emergency
care.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Clarifying participation in athletic safety programs (House, No. 3719) [Cost: Greater than \$100,000.00].

Athletic safety
programs.

To establish the family caregiver tax credit (House, No. 3911) [Cost: Greater than \$100,000.00].

Caregivers,—
tax credits.

For reimbursement for costs of the learning contract (House, No. 3934) [Cost: Greater than \$100,000.00].

UMass Medical,—
reimbursements.

Investing in public higher education (House, No. 4153) [Cost: Greater than \$100,000.00].

Public higher
education.

Relative to the control of tick-borne illness (House, No. 4275) [Cost: Greater than \$100,000.00].

Tick-borne
illness.

Relative to expanding access to healthy food choices in vending machines on state property (House, No. 4281) [Cost: Greater than \$100,000.00].

Healthy
food.

To establish standards for medical gas piping systems (House, No. 4360) [Cost: Greater than \$100,000.00].

Medical
gas.

Requiring health care employers to develop and implement programs to prevent workplace violence (House, No. 4418) [Cost: Greater than \$100,000.00].

Workplace
violence,—
prevention.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the House Bill amending Chapter 234 of the Acts of 2012 (House, No. 575), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Craniofacial
coverage.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on a petition, a Bill relative to nursing home reimbursement rates in Provincetown

Provincetown,—
reimbursement.

UNCORRECTED PROOF.

(House, No. 2992) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill amending the provisions of Chapter 145 of the Acts of 1937 (House, No. 4523).

Buzzards Bay
Water District.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Worcester to lease a certain building (House, No. 4534) [Local Approval Received].

Worcester,—
leases.

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

At twelve minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at a quarter after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

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 petition of Paul Brodeur for legislation to establish a sick leave bank for Robert F. Dunphy, Jr., an employee of the Trial Court. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Robert
Dunphy,—
sick leave.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to a Medford residential development easement (House, No. 4373, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Medford,—
residential
development.

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

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

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of an easement over certain parcels of land in the city of Medford, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4373, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill regulating appraisal management companies (House, No. 4331), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4566). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Appraisal
management.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 2, in lines 369 to 382, inclusive, by striking out the three paragraphs contained in those lines and inserting in place thereof the following:

“Section 288. (a) The board shall have the authority to conduct investigations and examinations for:

(i) purposes of initial registration, registration renewal, registration suspension, registration conditioning, registration revocation or termination, or general or specific inquiry or investigation to determine compliance with sections 275 to 288, inclusive. The board shall have the authority to access, receive and use any books, accounts, records, files, documents, information or evidence including, but not limited to: (i) criminal, civil and administrative history information, including non-conviction data as specified in applicable provisions of the General Laws; and (ii) any other documents, information or evidence the board deems relevant to the inquiry or investigation regardless of the location, possession, control or custody of such documents, information or evidence; and

(ii) the purposes of investigating violations or complaints arising under sections 275 to 288, inclusive, or for the purposes of examination, the board may review, investigate, or examine any registrant, individual or person subject to said sections 275 to 288, inclusive, in order to carry out the purposes set forth therein.”

The amendment was adopted; and the bill (House, No. 4566, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Motions to Discharge Certain Matters in the Orders of the Day.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2300) of the House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 4045), recommending passage of a bill with the same title (House, No. 4549), was considered, under suspension of Rule 47, on motion of Mr. Sánchez of Boston.

Capital
facilities,—
bond.

After remarks on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the

Conference
committee
report

roll call 144 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 366 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

accepted,—
yea and nay
No. 366.

The House Bill authorizing the Department of Fish and Game to acquire land of the town of Dalton (House, No. 4301, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Pignatelli of Lenox; and it was passed to be engrossed. Sent to the Senate for concurrence.

Dalton,—
land.

Emergency Measures.

The engrossed Bill providing for capital facility repairs and improvements for the Commonwealth (see House, No. 4549), 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.

Capital
facilities,—
bond bill.

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 30 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 145 members voted in the affirmative and 3 in the negative.

Bill enacted
(state loan),—
yea and nay
No. 367.

[See Yea and Nay No. 367 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill providing continued investment in the life sciences industry in the Commonwealth (see House, No. 4501, 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.

Life
sciences,—
bond bill.

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 56 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call (Mrs. Haddad of Somerset being in the Chair) 145 members voted in the affirmative and 3 in the negative.

Bill enacted
(state loan),—
yea and nay
No. 368.

[See Yea and Nay No. 368 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Mr. Donato of Medford being in the Chair,—

Engrossed bills

Further regulating the position of town manager in the town of Upton (see House, No. 4121); and

Authorizing the sale of a certain parcel of land in the town of North Attleborough (see House, No. 4248);

(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.

Bills
enacted.

Reports of Committees.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Senate Bill to protect animal welfare and safety in cities and towns (Senate, No. 2347), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4565. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Animal
welfare.

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

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently, the noon recess having terminated (Mrs. Haddad of Somerset being in the Chair), under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Berthiaume of Spencer moved to amend it in section 4, in line 66, and in section 22, in line 259, by striking out the word “an” and inserting in place thereof, in each instance, the words “a domestic”. The amendments were rejected.

Mr. Gentile of Sudbury then moved to amend the bill by inserting after section 4 the following section:

“SECTION 4A. Farmers, gardeners, and persons cultivating fruits or vegetables attempting to eliminate rodents are exempted from the drowning restrictions and penalties herein.”.

After remarks the amendment was rejected.

Mr. Howitt of Seekonk then moved to amend the bill by adding at the end thereof the following section:

“SECTION 36. Chapter 272 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following new section:—

Section 106. Animal Abuse Registry

(a) DEFINITIONS.

The following words as used in this chapter, unless the context otherwise

requires, shall have the following meanings:

‘animal abuse crime’, the commission of any crime against an animal under Chapter 272, Sections 77 through 81, inclusive, of the General Laws, and the comparable animal cruelty statutes of any other state.

‘animal breeder’, any entity engaged in the practice of facilitating the reproduction of animals for the purpose of distributing the resulting offspring to one or more other individuals or entities.

‘animal shelter’, a public animal control facility, or any other facility which is operated by any organization or individual for the purpose of protecting animals from cruelty, neglect, or abuse.

‘convicted of’, an adjudication of guilt by any court of competent jurisdiction, whether upon a verdict or plea of guilty or nolo contendere.

‘pet store’, every place or premise where birds, mammals or reptiles are kept for the purpose of sale at either wholesale or retail, import, export, barter, exchange or gift.

(b) CREATION OF AN ANIMAL ABUSE REGISTRY.

The Department of Criminal Justice Information Services shall establish and maintain a central computerized registry of all persons convicted of an animal abuse crime who are required to register pursuant to subsection (c) of this act, to be known as the Massachusetts animal abuse registry.

The registry shall be updated based on information made available to the Department of Criminal Justice Information Services, including information acquired pursuant to the registration provisions of subsection (c).

The registry shall include the following information: the offender’s name, the offender’s residential address, the date and a description of the crime for which registration is required, and a photograph of the offender’s head and shoulders from the front.

(c) REGISTRATION REQUIREMENT AND REQUIRED INFORMATION.

All persons eighteen (18) years of age or older, or minors who have been tried as adults, who reside in Massachusetts and are convicted of an animal abuse crime on or after the effective date of this law, shall register within ten (10) days following either the date of judgment or date of release from incarceration, whichever is later. Residents of other states who are convicted of an animal abuse crime on or after the effective date of this law, who subsequently reside in Massachusetts, shall register within their first ten (10) days of residing in Massachusetts.

Each person required to register under this section shall submit to the Department of Criminal Justice Information Services for inclusion on the registry:

- a. Their name;
- b. Their residential address;
- c. A description of the offense for which registration is required, the city or town where the offense occurred, the date of conviction or adjudication, and the sentence imposed; and
- d. A photograph of their head and shoulders from the front.

A person required to register under this section shall update registration information to reflect any change in address which may occur, or if no change in address occurs, annually from the date of their first registration.

Registration pursuant to this section shall remain in effect for a period of five (5) years following either the date of judgment or date of release from incarceration, whichever is later, provided that such period shall be extended for

UNCORRECTED PROOF.

additional five year periods for each conviction which may occur subsequent to an initial registration.

(d) FEES.

Every person required to register under subsection (c) shall pay an annual fee of \$50 to the Department of Criminal Justice Information Services. These funds shall be used to pay the administrative costs of maintaining the registry.

(e) FAILURE TO REGISTER.

Any person required to register under subsection (c) who knowingly: (i) fails to register; (ii) fails to verify registration information; (iii) fails to provide notice of a change of address; or (iv) knowingly provides false information shall be punished in accordance with this section.

a. A first conviction under this subsection shall be punished by imprisonment for not less than six months and not more than two and one-half years in a house of correction nor more than five years in a state prison or by a fine of not more than \$1,000 or by both such fine and imprisonment.

b. A second and subsequent conviction under this subsection shall be punished by imprisonment in the state prison for not less than five years.

c. A first conviction under this subsection shall be punished by a fine of not more than \$1,000 or imprisonment in a house of correction for not more than 10 days, or both.

d. A second conviction under this subsection shall be punished by a fine of not more than \$5, 000 or imprisonment in a house of correction for not more than 2 years, or both.

(f) APPEALING REGISTRATION.

1. Anyone convicted of an animal abuse crime who would otherwise be required to register under subsection (c), may appeal to District Court for a determination of the level of danger posed by the offender. The department may, upon making specific written findings that the circumstances of the offense, in conjunction with the offender's criminal history, do not indicate a risk of reoffense or a danger to the public and the reasons therefore, relieve such offender of any further obligation to register, and shall remove such offender's registration information from the registry.

(g) AVAILABILITY OF REGISTRY.

The Department of Criminal Justice Information Services shall keep confidential and shall not publish the information contained in the registry, except that the information contained in the registry shall be made available for inspection by any animal shelter, pet store, or animal breeder in Massachusetts.

(h) REQUIREMENT TO CHECK REGISTRY.

All animal shelters, pet stores, and animal breeders in Massachusetts shall determine whether the name and address of any person seeking to purchase or adopt an animal appears on the registry.

No animal shelter, pet store, or animal breeder shall knowingly offer, sell, deliver, give or provide an animal to any person registered on the registry.

(i) PUNISHMENT FOR NOT CHECKING REGISTRY.

Any animal shelter, pet store, or animal breeder who violates the provisions of this act shall be punished by a fine of not less than \$1,000 or imprisonment for a period of not more than one year for a first offense, provided that each subsequent offense shall be punishable by a fine of not less than \$5,000 and imprisonment in a jail or house of correction for not more than five years.”.

The amendment was rejected.

Mr. Sánchez of Boston then moved to amend the bill by striking out sections

UNCORRECTED PROOF.

14 and 24; and the amendment was adopted.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 369 in Supplement.]

Therefore the bill (Senate, No. 2347, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House [for text of House amendment, see House document numbered 4565, amended].

Bill passed to
be engrossed,—
yea and nay
No. 369.

Engrossed Bill.

The engrossed Bill authorizing the towns of Andover and North Reading to enter into an agreement for the supply of potable water (see House, No. 4552) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at eighteen minutes before four o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JUNE 7, 2018.

[62]

JOURNAL OF THE HOUSE.

Thursday, June 7, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God Ever Present, Ever Hopeful, we pray for the women and men of our House of Representatives and for all those who serve the citizens of our Commonwealth.

Prayer.

God, Source of Vitality and Discovery, as we near the end of this week we give thanks for two Bay Staters whose efforts in medicine have greatly improved the hopes of people suffering from cancer and diabetes.

Yesterday marked the 1869 birth anniversary of Dr. Elliott Joslin in the town of Oxford. Joslin was the first doctor in the United States to specialize in diabetes and was the founder of today's Joslin Diabetes Center affiliated with what is now Beth Israel-New England Deaconess Hospital.

Joslin's theory, which was not accepted until 30 years after his death, was that good glucose control, achieved through a restricted carbohydrate diet, exercise, and frequent testing and insulin adjustment would prevent complications from diabetes.

Tomorrow, June 8 marks the 1951 anniversary of the founding of what is now called the Dana-Farber Cancer Institute. Dr. Sidney Farber successfully experimented with drugs to halt the production of malignant bone marrow in children.

Dr. Farber never called his young patients by their real names, only Jimmy or Janie. The "Jimmy Fund" developed as a result of having a young patient appear on a national radio program. The boy spoke of his love for his baseball team, The Boston Braves who would visit him when he was in the hospital. Monies began to pour in from all over the country resulting in the development of the Children's Cancer Research Foundation.

When the Braves moved from Boston, the Red Sox championed the cause of this institute that is estimated to have raised over \$400 million dollars in the battle against various cancers.

May God continue to bless our Commonwealth.

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.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Benjamin N. Demers on receiving the Eagle Award of the Boy Scouts of America;

Benjamin
Demers.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Matthew S. McGaunn

Matthew

UNCORRECTED PROOF.

on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Michael Forbes on the occasion of his retirement from the Mansfield Housing Authority;

Resolutions (filed by Ms. Garlick of Needham) congratulating Samuel Weston Evans on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Kulik of Worthington) commending the town of Shelburne on the occasion of the two hundred and fiftieth anniversary of its incorporation;

Resolutions (filed by Mr. Kulik of Worthington) congratulating the town of Sunderland on the occasion of the three hundredth anniversary of its incorporation;

Resolutions (filed by Mr. Kulik of Worthington) commending the town of Worthington on the occasion of the two hundred and fiftieth anniversary of its incorporation;

Resolutions (filed by Ms. Peake of Provincetown) congratulating John Kent Roderick on the occasion of his retirement from Seamen's Bank;

Resolutions (filed by Mr. Rogers of Norwood) congratulating Collin Timothy Geary of Norwood Boy Scout Troop 49 on earning the Eagle Scout Award; and

Resolutions (filed by Mr. Vega of Holyoke) honoring Betty Medina Litchenstein as the recipient of the annual service award from the Greater Holyoke Council on Understanding;

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

McGaunn.
Michael
Forbes.

Samuel
Evans.

Shelburne,—
anniversary.

Sunderland,—
anniversary.

Worthington,—
anniversary.

John
Roderick.

Collin
Geary.

Betty
Litchenstein.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Barber of Somerville, a petition (accompanied by bill, House, No. 4580) of Christine P. Barber (with the approval of the mayor and city council) relative to reconstruction of the state funded Clarendon Hill Public Housing Project by the Somerville Housing Authority in the city of Somerville. To the committee on Housing.

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 4581) of Michael S. Day (by vote of the town) that the town of Stoneham be authorized to appoint retired police officers as special police officers in said town. To the committee on Public Service.

By Representatives Connolly of Cambridge and Provost of Somerville, a petition (accompanied by bill, House, No. 4582) of Mike Connolly, Denise Provost and others (with the approval of the mayor and city council) that the city of Somerville be authorized to impose a real estate transfer fee on certain real estate transactions in said city. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Ms. Barber of Somerville presented a petition (subject to Joint Rule 12) of Christine P. Barber (with the approval of the mayor and city council) that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain land in the city of Somerville to the Somerville Housing Authority;

Somerville,—
public
housing.

Stoneham,—
retired police
officers.

Somerville,—
Transfer fee.

Somerville,—
land.

and the same was referred, under Rule 24, to the committee on Rules.

Reports of Committees.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 409, 2110, 2129, 2132, 2142, 2143, 2908, 2911 and 2912, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning land and local matters (House, No. 4579). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Environment,
Natural Resources
and Agriculture,—
study.

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. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Relative to community policing and behavioral health (House, No. 4356) [Cost: Greater than \$100,000.00].

Behavioral
health.

For prevention and access to appropriate care and treatment of addiction (House, No. 4470) [Cost: Greater than \$100,000.00].

Addiction,—
treatment.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 2403 and House, No. 4315, that the Bill to limit retroactive denials of health insurance claims for behavioral health and substance abuse services (House, No. 4315), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Behavioral
health,—
denials.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Relative to healthy youth (House, No. 3704) [Cost: Greater than \$100,000.00] [Mr. Hunt of Sandwich dissenting].

Schools,—
sex education.

Creating higher education opportunities for students with intellectual disabilities, autism, and other developmental disabilities (House, No. 4286) [Cost: Greater than \$100,000.00].

Education
opportunities.

Improving the mental health examination process of inmates at places of detention (House, No. 4357) [Cost: Greater than \$100,000.00].

Inmates,—
mental health.

To improve oral health for all Massachusetts residents (House, No. 4454) [Cost: Greater than \$100,000.00].

Oral health.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Resolve establishing a task force on civil service hiring procedures (House, No. 3301). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Civil service,—
hiring.

UNCORRECTED PROOF.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on House, No. 1747, a Bill to increase renewable energy and reduce high-cost peak hours (House, No. 4575). Renewable energy.

By the same member, for the same committee, on House, No. 2600, a Bill to improve grid resiliency through energy storage (House, No. 4576). Grid resiliency.

By the same member, for the same committee, on House, No. 3742, a Bill relative to electric vehicles expansion (House, No. 4578). Vehicle expansion.

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

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a joint petition, a Bill authorizing the city known as the town of Amherst to hold a special election on November 6, 2018 (House, No. 4482) [Local Approval Received]. Amherst,— election.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on House, No. 2712, a Bill relative to net metering (House, No. 4577). Net metering.

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

Orders of the Day.

The Senate Bill establishing a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health (Senate, No. 2444), 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

Authorizing the town of Norfolk to convey certain land on Priscilla Avenue (House, No. 4148); Third reading bills.

Relative to certain affordable housing in the Jamaica Plain section of the city of Boston (House, No. 4238); and

Authorizing the Minuteman Regional Vocational Technical School District to lease certain land and buildings (House, No. 4503);

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 House Bill relative to child-centered family law (House, No. 3090) was read a second time; and it was ordered to a third reading. Second reading bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at one o'clock P.M. Next sitting.

UNCORRECTED PROOF.

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

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JUNE 11, 2018.

[63]

JOURNAL OF THE HOUSE.

Monday, June 11, 2018.

Met according to adjournment at one o'clock P.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.

Petitions.

Representative Connolly of Cambridge and Senator DiDomenico presented a joint petition (accompanied by bill, House, No. 4598) of Mike Connolly and Sal N. DiDomenico (with the approval of the city council) that the city of Cambridge be authorized to use certain recreational land for traffic reconfiguration purposes; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Cambridge,—
land.

Petitions severally were presented and referred as follows:

By Representatives Farley-Bouvier of Pittsfield and Vega of Holyoke, a petition (subject to Joint Rule 12) of Tricia Farley-Bouvier, Aaron Vega and others for legislation to establish an annual sales tax holiday for small business retailers.

Tax
holiday.

By Mr. Lyons of Andover, a petition (subject to Joint Rule 12) of James J. Lyons, Jr. and others for adoption of resolutions by the General Court requesting the Governor (with the consent of the Council) to remove Timothy Q. Feeley from the office of Justice of the Superior Judicial Court of Essex County.

Timothy Q.
Feeley,—
judgeship.

By Ms. Whipps of Athol, a petition (subject to Joint Rule 12) of Susannah M. Whipps that the commissioner of Capital Asset Management and Maintenance be authorized to convey an easement over a certain parcel of land in the town of New Salem.

New Salem,—
land.

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

Papers from the Senate.

A Message from His Excellency the Governor recommending legislation relative to child predators (Senate, No. 2544), was referred, in concurrence, to the committee on the Judiciary.

Child
predators.

The Senate Bill to promote and enhance civic engagement (Senate, No. 2375, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4545).

Civic
engagement.

The bill bore the further endorsement that the Senate had asked for a committee

Committee of
conference.

of conference on the disagreeing votes of the two branches; and that Senators Chang-Diaz, Friedman and Tran had been appointed the committee on the part of the Senate.

On motion of Ms. Peisch of Wellesley, the House insisted on its amendment and concurred with the Senate in the appointment of a committee of conference. Representatives Peisch, Tucker of Salem and Crocker of Barnstable then were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

A Bill relative to surplus lines insurance premiums (Senate, No. 2547) (on Senate bill No. 2238), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Insurance premiums.

A petition (accompanied by bill) of Richard J. Ross and Shawn Dooley for legislation to establish a sick leave bank for Pamela Lopez, an employee of the Department of Developmental Services, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Pamela Lopez,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2550) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438), ought to be adopted (for order, see House, No. 4595). The order was considered forthwith; and it was adopted.

Environmental bond,—
procedures.

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 Jonathan D. Zlotnik and Dean A. Tran for legislation to establish a sick leave bank for Keri Volk, an employee of the Department of Correction. To the committee on Public Service.

Keri Volk,—
sick leave.

Petition (accompanied by bill) of Christine P. Barber (with the approval of the mayor and city council) that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain land in the city of Somerville to the Somerville Housing Authority. To the committee on State Administration and Regulatory Oversight.

Somerville,—
land.

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Bill modernizing the foundation budget for the 21st century (Senate, No. 2525),— 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.

Foundation budget.

UNCORRECTED PROOF.

Reports

Of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4185) of John H. Rogers and Michael F. Rush (by vote of the town) that the town of Norwood be authorized to grant up to five additional licenses for the sale of alcoholic beverages to be drunk on the premises in said town;

Norwood,—
liquor
licenses.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4442) of Danielle W. Gregoire, James B. Eldridge and Carmine L. Gentile (with the approval of the mayor and city council) relative to authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises; and

Marlborough,—
liquor
licenses.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4443) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Otis be authorized to grant one additional license for the sale of all alcoholic beverages to be drunk off the premises in said town;

Otis,—
liquor
license.

Under suspension of the rules, in each instance, on a motion of Mr. Brodeur of Melrose, the reports were considered forthwith. Pending the question, in each instance, on acceptance of the reports, the petitions were recommitted, on motion of the same member.

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

Authorizing the city known as the town of Amherst to hold a special election on November 6, 2018 (House, No. 4482) [Local Approval Received]; and

Amherst,—
special election.

Authorizing the city of Worcester to lease a certain building (House, No. 4534) [Local Approval Received];

Worcester,—
building lease.

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 Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on House, No. 129, an Order relative to authorizing the committee on Community Development and Small Businesses to make an investigation and study of a certain House document concerning retail sales (House, No. 4562) [Senator Eldridge dissenting].

Retail sales,—
study.

By the same member, for the same committee, on House, Nos. 123, 124, 126 and 2806, an Order relative to authorizing the committee on Community Development and Small Businesses to make an investigation and study of certain House documents concerning community development and small businesses (House, No. 4563).

Community
development
and small
businesses,—
study.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on Senate No. 198 and House Nos. 213, 214, 215, 217, 218, 1951, 2004, 2006, 2007, 2008, 2830, 2832, 2833, 3472, 3473, 3474 and 3475, an Order relative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of certain a certain Senate document and House documents concerning economic development (House, No. 4584).

Economic
development,—
study.

By Mr. Cusack of Braintree, for the committee on Marijuana Policy, on House, Nos. 2388, 2785, 3174, 3196, 3199 and 3732, an Order relative to authorizing the

Marijuana policy,—
study.

committee on Marijuana Policy to make an investigation and study of certain House documents concerning marijuana policy (House, No. 4585). [Mr. Boldyga of Southwick dissenting].

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on House, Nos. 4466 and 4497, an Order relative to authorizing the committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain House documents concerning mental health, substance use and recovery issues (House, No. 4586).

Mental health, substance use and recovery,— study.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on House, Nos. 1078, 1079, 1080, 1084, 1086, 1089, 1091, 1092, 1094, 1095, 1103, 1104, 1107, 1108, 1112, 1113, 1115, 1118, 1122, 2414, 2415, 2416, 2417, 2421, 2422, 2427, 2428, 3210, 3211, 3213, 3215, 3218, 3219, 3220, 3221, 3222, 3596, 3832, 3881 and 3939, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning miscellaneous legislative matters (House, No. 4590). [Senator Cyr dissenting].

Miscellaneous legislative matters,— study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, No. 3269, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of a certain House document concerning public safety issues (House, No. 4587) [Senators Rush, Chang-Diaz and Representative Matias of Lawrence dissenting].

Public safety,— study.

By Mr. Parisella of Beverly, for the committee on Public Service, on House, Nos. 4169 and 4221, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public service issues (House, No. 4588).

Public service,— study.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on Senate, No. 1689 and House, No. 1685, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain Senate document and House document concerning state administration and regulatory oversight issues (House, No. 4589) [Senators Timilty and Tran dissenting].

State administration and regulatory oversight,— study.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1810, 1832, 1843, 1844, 2721, 2730, 2745, 2747, 3408, 3411, 3418, 3420, 3424, 3640, 3641, and 4120, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning transportation (House, No. 4597).

Transportation,— study.

By Mr. Lawn of Watertown, for the committee on Veterans and Federal Affairs, on House Nos. 1924, 1925, 1927, 1928, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1938, 1939, 1940, 1945, 1946, 1947, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 3446 and 3447, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of certain House documents concerning veterans matters (House, No. 4591).

Veterans matters,— study.

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

Subsequently, 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.

UNCORRECTED PROOF.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 4297, a Bill relative to economic development in the commonwealth (House, No. 4592), ought to pass. Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Economic
development.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 3093, a Bill improving medical decision making (House, No. 4593), ought to pass. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Medical
decisions.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Robert F. Dunphy Jr., an employee of the Executive Office of the Trial Court (House, No. 4583).

Robert F.
Dunphy,—
sick leave.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Jodi Cipriano, an employee of the Department of Developmental Services (House, No. 4554).

Jodi Cipriano,—
sick leave.

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 Melvin Maldonado, an employee of the Department of Mental Health (see Senate, No. 2444), 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.

Melvin
Maldonado,—
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 2 to 0. Sent to the Senate for concurrence.

The engrossed Bill designating the boardwalk at Heritage State Park in the city of Fall River as the Robert Correia Boardwalk (see House, No. 4166, 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.

Fall River,—
Robert Correia
Boardwalk.

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 2 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill relative to the ownership and occupancy deadline for residential property exemptions in the city of Boston (see House, No. 4073) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill ratifying the adoption of the charter of the town of Abington (printed in Senate, No. 2278), 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

Third
reading
bill.

UNCORRECTED PROOF.

engrossed, in concurrence.

House bills

Authorizing the appointment of special police officers in the city of Springfield (House, No. 4478); and

Establishing a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services (House, No. 4509) (its title having been changed by the committee on Bills in the Third Reading);

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

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twelve minutes after one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JUNE 13, 2018.

[64]*

JOURNAL OF THE HOUSE.

Wednesday, June 13, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God, whose Grace brings new life to all living things, we pray today for the steadfast efforts of our elected officials and their staff in bringing about good and just legislation for the citizens of Massachusetts.

Prayer.

We give thanks to You God for our many smaller communities. We lift up the Berkshire County town of Otis which celebrates today its 1810 incorporation. It was formed out of the villages of Louden and Bethlehem.

There is a marker in town to commemorate the passage of General Henry Knox and his troops who, during the winter of 1775 and 1776, travelled through Otis bringing the cannons from Ticonderoga, New York to Boston forcing the British to evacuate the city.

Today nearly 1,400 people make their home in this quiet town of natural beauty.

May God continue to bless our Commonwealth.

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.

Statement of Representative Carvalho of Boston.

A statement of Mr. Carvalho of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for a portion of today's sitting due to being on official business outside of the State House. Had I been present for Yea and Nay Nos. 370, 371 and 372, I would have voted, in each instance, in the affirmative. My missing of roll calls today is due entirely to the reason stated.

Statement of Mr. Carvalho of Boston.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, a group of students and their teachers from the Riverdale Elementary School in Dedham. They were the guests of Mr. McMurtry of Dedham.

Dedham,—
Riverdale
School.

Resolutions.

UNCORRECTED PROOF.

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

Resolutions (filed by Mr. Honan of Boston) congratulating Thomas W. Connolly on receiving the Eagle Award of the Boy Scouts of America;

Thomas
Connolly.

Resolutions (filed by Mr. Honan of Boston) congratulating Francis J. Doyle IV on receiving the Eagle Award of the Boy Scouts of America; and

Francis
Doyle.

Resolutions (filed by Mr. Honan of Boston) congratulating Brendan P. Sutliff on receiving the Eagle Award of the Boy Scouts of America;

Brendan
Sutliff.

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

Communications.

Communications

From the Department of Public Health (see Section 2 of Chapter 111 of the General Laws) submitting a report summarizing birth data and statistics for the calendar year 2016;

Birth data
statistics.

From the Massachusetts Gaming Commission (see Section 65 of Chapter 23K of the General Laws) submitting the 2017 Annual Gaming Audit [copy of said audit forwarded to the committee on Ways and Means, as required by statute];

Gaming
Commission,—
audit.

From the Public Employee Retirement Administration Commission (PERAC) submitting a report summarizing Massachusetts public retirement systems' investment and funding for the calendar year 2017; and

Retirement
systems,—
investment.

From the Senate of the State of Missouri, transmitting Senate concurrent Resolution No. 40, relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress [having been adopted by the Senate of the State of Missouri on April 9, 2018, and by the House of Representatives of the State of Missouri on May 17, 2018];

Missouri,—
Article V
Constitutional
Convention.

Severally were placed on file.

Reports.

A quarterly report of the Department of Public Health (under item 4513-1020 of Chapter 47 of the Acts of 2017) submitting the Early Intervention program report for the third quarter of fiscal year 2018; and

Early
Intervention.

Annual reports

Of the Massachusetts Property and Casualty Insurance Company Community Investment Initiative (under Section 3(e) of Chapter 259 of the Acts of 1998) for the fiscal year 2017;

Property and
casualty
insurance.

Of the Massachusetts Asian American Commission (under Section 68 of Chapter 3 of the General Laws) for the year 2017;

Asian
Americans.

Of the Massachusetts Commission on the Status of Women (under Section 66 of Chapter 3 of the General Laws) for fiscal year 2018; and

Status of
Women.

Of the Massachusetts Life Insurance Community Investment Initiative, LLC (under Section 2(e) of Chapter 259 of the Acts of 1998) for the fiscal year 2017;

Life insurance
investment.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Cutler of Duxbury and Senator deMacedo, a joint petition (accompanied by bill, House, No. 4607) of Josh S. Cutler and Viriato M. deMacedo (by vote of the town) that the town of Pembroke be authorized to establish a town manager form of government. To the committee on Municipalities and Regional Government.

Pembroke,—
town
manager.

By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 4608) of Daniel J. Hunt (with the approval of the mayor and city council) that the city of Boston Police Department be authorized to waive the maximum age requirement for police officers for Hugh Trong Ngo. To the committee on Public Service.

Boston,—
Hugh
Trong Ngo.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4609) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Chatham be authorized to establish an additional excise tax on real property in said town to fund the other post-employment benefits liability trust fund of said town. To the committee on Revenue.

Chatham,—
property
taxes.

Severally sent to the Senate for concurrence.

Reports of Committees.

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

The Senate Bill requiring the inclusion of representatives of individuals who identify as gay, lesbian, bisexual, questioning or queer and as transgender on the advisory board to the Massachusetts Commission Against Discrimination (Senate, No. 1715); and

Commission
Against
Discrimination.

House bills

Establishing a sick leave bank for Jodi Cipriano, an employee of the Department of Developmental Services (House, No. 4554); and

Jodi Ciriano,—
sick leave.

Establishing a sick leave bank for Robert F. Dunphy Jr., an employee of the [sic] Executive Office of the Trial Court (House, No. 4583);

Robert
Dunphy,—
sick leave.

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

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 318 and 2852, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education (House, No. 4603).

Education,—
study.

By the same member, for the same committee, on House, No. 246, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning education (House, No. 4604).

Id.

By Ms. Hogan of Stow, for the committee on Public Health, on House, No. 1194, an Order relative to authorizing the committee on Public Health to make an investigation and study of a certain House document concerning public health (House, No. 4600).

Public
health,—
study.

By the same member, for the same committee, on House, No. 1203, an Order relative to authorizing the committee on Public Health to make an investigation and

Id.

UNCORRECTED PROOF.

study of a certain House document concerning public health (House, No. 4601).

By the same member, for the same committee, on House, No. 4138, an Order relative to authorizing the committee on Public Health to make an investigation and study of a certain House document concerning public health (House, No. 4602).

Id.

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

Subsequently, 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. Roy of Franklin, for the committee on Health Care Financing, on House, Nos. 591, 596, 597, 601, 608, 610, 615, 617, 619, 620, 1218, 2074, 2215, 2217, 2219, 2434, 2459, 2460, 2480, 2983, 2985, 2986, 2987, 2988, 2990, 3223, 3241, 3248, 3582, 3829, 4332, 4333, 4355, 4362 and 4493, a Bill establishing the Honorable Peter V. Kocot Act to enhance access to high quality, affordable and transparent healthcare in the Commonwealth (House, No. 4605) [Cost: Greater than \$100,000.00]. Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Healthcare,—
access.

Subsequently, Mr. Galvin of Canton, for said committees, reported that the foregoing bill ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Id.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 4310, a Bill to enhance the background record check procedures of the Department of Early Education and Care (House, No. 4594). Read; and referred, under Rule 33, to the committee on Ways and Means.

Early education,—
background
checks.

Engrossed Bill.

The engrossed Bill ratifying the adoption of the charter of the town of Abington (see Senate bill printed in Senate, No. 2278) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At a quarter after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at eighteen minutes before two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Paper from the Senate.

Mr. Petrolati of Ludlow being in the Chair,—

A petition (accompanied by bill) of Harriette L. Chandler and James J. O'Day for legislation to authorize the commissioner of capital asset management and

West
Boylston,—

maintenance [sic] to modify and relocate an easement in the town of West Boylston, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

land.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2559) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill establishing the Honorable Peter V. Kocot Act to enhance access to high quality, affordable and transparent health care in the Commonwealth (House, No. 4605) ought to be adopted (for order, see House, No. 4606).

Healthcare,—
procedures.

After remarks on the question on adoption of the order, the sense of the House was taken by yeas and nays at the request of Mr. Hill of Ipswich; and on the roll call 110 members voted in the affirmative and 36 in the negative.

Order
adopted—
yea and nay
No. 370.

[See Yea and Nay No. 370 in Supplement.]

Therefore the order (House, No. 4606) was adopted.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4599) [Bond Issue: General Obligation Bonds: \$2,955,833,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution a bill with the same title (House, No. 4558),— and the amendment recommended by the committee on Ways and Means pending.

Environmental,—
bond bill.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4599) was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, Mr. Cabral of New Bedford moved to amend it in section 2D, in item 6121-1315, in line 520, by inserting after the word “municipalities” the following: “; provided, that not less than 33 per cent of the grants awarded shall be issued to cities and towns with a median household income below the average of the commonwealth”. The

amendment was adopted.

Mr. Kulik of Worthington then moved to amend the bill in section 2, in item 2511-0122, in line 288, by inserting after the word “resources” the words “; provided further, that funds may be used to develop a statewide farmland plan”. The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 9 the following two sections:

“SECTION 9A. Section 3 of chapter 25A of the General Laws, as appearing in the 2016 Official Edition is hereby amended by inserting after the first paragraph, the following definition:—

‘Adaptation projects’, public infrastructure projects designed to mitigate adjustments in natural or human systems in response to actual or expected climatic stimuli and associated impacts, including but not limited to changes in processes, practices, and built and natural structures to increase resiliency, moderate potential damages, or benefit from opportunities associated with climate change.

SECTION 9B. Section 11C of said chapter 25A, as so appearing, is hereby amended by adding the following subsection:— ‘(e) The division of capital asset management and maintenance may contract for the procurement of capital improvements for adaptation projects in the manner provided in subsections (a) and (c). A local governmental body may contract for the procurement of capital improvements for adaptation projects in the manner provided in subsections (b) and (c).’.”

The amendment was adopted.

Mr. Moran of Boston then moved to amend the bill by adding the following section:

“SECTION 81. Chapter 92 of the General Laws is hereby amended by inserting after section 34C the following section:—

Section 34D. Notwithstanding any general or special law or administrative bulletin to the contrary and pursuant to section 34, there is hereby established and set up on the books of the commonwealth a separate fund, to be known as the Christian A. Herter Park Trust Fund, which shall be used for the purposes of advancing recreational, educational and conservation interests, including, but not limited to, the construction and maintenance of facilities and infrastructure improvements for Christian A. Herter Park within the Charles River Reservation; and provided further, that not less than 50 percent of said trust be used for the Friends of Herter Park, Inc. a 501(c)3 non-profit organization. The trust shall receive, hold and expend all fees generated by permits, licenses and all other agreements not currently being directed to the General Fund relating to the use of the Herter Park land as authorized by the commission. The department shall not make expenditures from this fund so as to cause the fund to be deficient.”.

The amendment was adopted.

Representatives Straus of Mattapoisett, Peake of Provincetown and Markey of Dartmouth then moved to amend the bill by adding the following section:

“SECTION 82. Notwithstanding any general or special law to the contrary, the director of the division of marine fisheries, in consultation with the commissioner of the department of fish and game, shall, by June 14, 2019, conduct and publish a study of the current lobster fishery and provide a recommendation as to the advisability of enacting statutory and regulatory changes to allow the processing of lobster parts, other than lobster tails weighing 3 ounces or more, for sale in the commonwealth. The study shall include an economic and market analysis of potential impacts and benefits, assessment of potential state and federal law

enforcement issues associated with a change in legislation or regulations, an assessment on the impacts of such changes on inter-jurisdictional fisheries management and a review and analysis of the potential biological and population dynamics of the species known as *Homarus americanus* as a result of such changes.”.

The amendment was adopted.

Mr. Cutler of Duxbury then moved to amend the bill by adding the following section:

“SECTION 83. Chapter 123 of the Acts of 2006 is hereby amended in section 112 by striking the words ‘chapter 149’ in the second sentence and inserting in place thereof the words ‘chapter 30 and chapter 149’.”.

The amendment was adopted.

Mr. Hunt of Boston then moved to amend the bill by adding the following section:

“SECTION 84. Chapter 123 of the Acts of 2006 is hereby amended by adding into the second sentence of Section 112 the words ‘and chapter 30’ after the words ‘chapter 149’.”.

The amendment was adopted.

Ms. Provost of Somerville then moved to amend the bill in section 2C, in item 2800-7023, in line 509, by striking out the word “may” and inserting in place thereof the word “shall”; and the amendment was adopted.

Mr. Kulik of Worthington then moved to amend the bill by adding the following three sections:

“SECTION 85. Chapter 29 of the General Laws is hereby amended by inserted after section 2VVVV the following three section:—

Section 2WWWW. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Mohawk Trail Woodlands Partnership Fund, hereafter referred to as the Mohawk Trail Woodlands Partnership Fund. The fund shall be administered by the Mohawk Trail Woodlands Partnership Board as established by the special act creating such board. There shall be credited into the fund revenues or other financing sources directed to the fund by appropriation, bond revenues or other monies authorized by the general court and specifically designated to be credited to that fund, any income derived from the investing of amounts credited to the fund and the monies from the repayment of loans from the fund, funds from public or private sources, including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund and all other amounts credited or transferred into the fund from any other source. Amounts credited to said fund shall be held in an expendable trust and shall be used solely for implementing the purposes and administration of Mohawk Trail Woodland Partnership as set forth in the special act creating such partnership. Unexpended funds shall be allowed to carry over from year to year and be expended in subsequent years without appropriation. No expenditure from the fund shall cause it to be in deficiency.

SECTION 86. To capitalize the Mohawk Trail Woodland Partnership Fund established in section 2WWWW of Chapter 29 of the General Laws and support the goals of the Mohawk Trail Woodland Partnership, the Partnership may receive funds from general appropriations, capital expenditure authorizations, grants or a combination of the three.

SECTION 87. (a) For the purposes of this section, the following terms shall, unless the context clearly requires otherwise, have the following meanings:—

‘Participating Communities’, municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area that affirmatively vote to participate in the activities of the Mohawk Trail Woodlands Partnership as described in subsection (c).

‘Partnership’, a cooperative association among those entities and individuals working collaboratively to achieve the purposes described in subsection (b) in the Mohawk Trail Woodlands Partnership Area as described in subsection (c).

‘Permanently protected open space’, land permanently protected from development and includes state parks, state forests and state wildlife management areas, federally conserved land, land owned by conservation organizations for conservation purposes, town or city owned land under the jurisdiction of the town or city conservation commission for park or conservation use, and privately-owned farm and forestland protected through the Agricultural Preservation Restriction Program or a conservation restriction.

‘Sustainable forest management’, the carefully planned growing, management, monitoring, harvesting and regeneration of woodlands that conserves or promotes biological diversity, ecological functions, soil productivity, water and air quality, carbon sequestration and storage, and cultural resources and recreational use of the forest while also providing a continuous yield of a range of useable forest products. Sustainable forest management also considers the surrounding forest landscape.

(b) The purposes of the Mohawk Trail Woodlands Partnership are:

(1) to support and expand sustainable forest management to enhance public benefits, including but not limited to, outdoor recreation opportunities, air and water quality, watershed management, soil conservation, biological diversity, carbon sequestration and storage, fish and wildlife habitat, forest products and forestry related jobs and to increase the resiliency of forests to threats such as fire, ice, wind, insects, disease and invasive pests and plants;

(2) to increase forest land conservation through conservation restrictions that encourage and support sustainable forest management practices and intact forest ecosystems;

(3) to support and increase sustainable natural resource based economic development and employment;

(4) to support and provide comprehensive education and visitor information programs to increase public understanding of and appreciation for the ecological, recreational and economic benefits of forests;

(5) to support and promote the long term social and fiscal sustainability of the Participating Communities in the area; and

(6) to create a long-term partnership between towns and cities, regional and other organizations with a presence in the region, educational institutions, the executive office of energy and environmental affairs, and the United States Forest Service.

(c) (1) To achieve the purposes identified in subsection (b) there is hereby established the Mohawk Trail Woodlands Partnership Area, which shall consist of 2 separate boundaries: (i) the Mohawk Trail Woodlands Partnership Eligibility Area; and (ii) the Mohawk Trail Woodlands Partnership Activities Area.

(2) The Mohawk Trail Woodlands Partnership Eligibility Area shall be comprised of the lands defined by the municipal boundaries of Adams, Cheshire, Clarksburg, Florida, New Ashford, North Adams, Peru, Savoy, Williamstown and Windsor in Berkshire county, and Ashfield, Buckland, Charlemont, Colrain, Conway, Hawley, Heath, Leyden, Monroe, Rowe, and Shelburne in Franklin county.

(3) The Mohawk Trail Woodlands Partnership Activities Area shall consist of the land in those municipalities described in the Mohawk Trail Woodlands Partnership Eligibility Area that have taken an affirmative vote of a town meeting or board of selectmen in towns or city council or mayor in cities to participate in the activities of the Mohawk Trail Woodlands Partnership as specified in the Partnership Plan as defined in subsection (g).

(4) Municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area shall have 2 years after the effective date of this act to affirmatively vote to participate in the activities of the Mohawk Trail Woodlands Partnership and become Participating Communities. Notwithstanding the preceding sentence, if a municipality within the Mohawk Trail Woodlands Partnership Eligibility Area does not vote affirmatively to participate in the activities of the Mohawk Trail Woodlands Partnership within 2 years after the effective date of this act, the municipality may affirmatively vote to become a Participating Community after 5 years have passed from the effective date of this act.

(5) The Mohawk Trail Woodlands Partnership Eligibility Area and the Mohawk Trail Woodlands Partnership Activities Area may be expanded 5 years after enactment of this legislation by a 2/3 vote of the entire partnership board, established pursuant to Subsection (e), and a majority vote of the partnership board members from the Participating Communities after the establishment of criteria for expansion by said partnership board. Criteria for expansion should include such factors as geographic proximity, forestry and natural resources, and financial capacity of the partnership.

(d) (1) Programs and activities of the Mohawk Trail Woodlands Partnership shall, to the extent possible, be conducted in partnership and collaboration between the units of federal, state and local government, including but not limited to the United States Forest Service, the commonwealth and its applicable subdivisions and others in accordance with the integrated partnership plan specified in subsection (g).

(2) Nothing in this section shall be construed to diminish, enlarge, or modify any right of the federal government, the commonwealth or any political subdivision thereof, to exercise civil and criminal jurisdiction or to carry out federal, state, or local laws, rules, and regulations within the lands and waters included in the Mohawk Trail Woodlands Partnership Eligibility Area.

(e) (1) After 11 municipalities within the Mohawk Trail Woodlands Partnership Eligibility Area, as defined in subsection (c)(2), affirmatively vote to become Participating Communities, there shall be established the Mohawk Trail Woodlands Partnership Board whose purpose shall be to coordinate the partnership activities of participating federal, state, and local authorities and the private sector in the development and implementation of the programs and activities identified in an integrated partnership plan for the Mohawk Trail Woodlands Partnership Activities Area.

(2) The partnership board shall be composed of the following members:

(A) One individual, appointed by the respective board of selectmen or mayor, from each of the Participating Communities.

(B) One individual, appointed by the Chief of the United States Forest Service, to represent the United States Forest Service, provided that Federal legislation is enacted that authorizes the participation of the United States Forest Service.

(C) One individual, appointed by the secretary of energy and environmental affairs, to represent the executive office of energy and environmental affairs.

(D) One individual, appointed by the executive director of the Franklin Regional Council of Governments to represent the Franklin Regional Council of

Governments.

(E) One individual, appointed by the executive director of the Berkshire Regional Planning Commission, to represent the Berkshire Regional Planning Commission.

(F) One individual, appointed by action of the board of directors of the Massachusetts Forest Alliance Limited, to represent the Massachusetts Forest Alliance Limited.

(G) One individual, appointed by action of the chair of the Massachusetts Chapter of the Yankee Division of the New England Society of American Foresters, to represent the Massachusetts Chapter of the Yankee Division of the New England Society of American Foresters.

(H) One individual, appointed by action of the board of directors of the Franklin Land Trust, Inc., to represent the Franklin Land Trust.

(I) One individual, appointed by action of the board of directors of the Berkshire Natural Resources Council, Inc., to represent the Berkshire Natural Resources Council.

(J) One individual, appointed by action of the board of directors of the Greater Shelburne Falls Area Business Association, Inc., to represent the Greater Shelburne Falls Area Business Association.

(K) One individual, appointed by action of the board of directors of Lever, Inc., to represent Lever, Inc.

(L) One individual, appointed by action of the board of directors of the Deerfield River Watershed Association, Inc., to represent the Deerfield River Watershed Association.

(M) One individual, appointed by action of the board of directors of the Hoosic River Watershed Association, Inc., to represent the Hoosic River Watershed Association.

(N) One individual whom shall be a University of Massachusetts at Amherst School of Public Health and Health Sciences faculty member specializing in public health, appointed by the chancellor of the University of Massachusetts at Amherst, or by the chancellor's designee.

(O) One individual whom shall be a University of Massachusetts at Amherst faculty member specializing in ecosystem functions, carbon cycling in terrestrial systems and climate change as it relates to forests, appointed by the chancellor of the University of Massachusetts at Amherst, or by the chancellor's designee.

(P) Should the names of any entity of the aforementioned members change, the replacement entity shall be considered a member subject to the appointment of the appointing authority of that entity.

(Q) Should any of the entities of the aforementioned members cease to exist, the partnership board may, by majority vote, name a like entity to represent the interests of the original member entity represented.

(R) The partnership board may, by 2/3 vote, allow additional members to the partnership board, provided the mission of the additional member aligns with the purposes identified in subsection (b) and also provided that no additional members shall be allowed if the total number of members from those entities identified in clauses (B) through (Q), exceeds those identified in clause (A).

(3) (A) Members of the partnership board shall serve for terms of 3 years or until another representative is appointed from said appointing entity.

(B) Members may be re-appointed to serve for multiple terms.

(4) The partnership board shall elect 1 of its members as chairperson and 1 as vice chairperson. The term of office of the chairperson and vice chairperson shall be

3 years. The vice chairperson shall serve as chairperson in the absence of the chairperson.

(5) Any vacancy on the partnership board shall be filled in the same manner in which the original appointment was made.

(6) The partnership board shall meet no less than 2 times per year or at the call of the chairperson or a majority of its members. Meetings shall be open to the public.

(7) A majority of the partnership board members shall constitute a quorum. For the purposes of meeting quorum requirements, vacancies shall not be counted to determine a majority.

(8) Each member of the partnership board shall be entitled to 1 vote which shall be equal to every other member of the partnership board. All matters considered by the partnership board shall be decided by an affirmative vote of a minimum of a majority of the members present, except for those actions requiring a 2/3 vote as specified in this act.

(9) The partnership board shall:

(A) initiate the development and review of and approve the partnership plan as defined in subsection (g);

(B) oversee implementation of the partnership plan as defined in subsection (g);

(C) annually review and approve an annual budget that identifies the sources and uses of funds to implement the partnership plan. Said annual budget shall indicate funding levels for each of the purposes identified in subsection (b);

(D) designate a legally established entity to serve as the administrative agent for the Mohawk Trail Woodlands Partnership as set forth in subsection (f); and

(E) designate a legally established entity to serve as the fund manager for the Mohawk Trail Woodlands Partnership Fund.

(10) The partnership board shall establish an executive committee of the members of the partnership board. The executive committee shall consist of 5 members.

(A) The executive committee members shall consist of: 2 members appointed pursuant to clause (A) of paragraph (2) to be elected by the partnership board; 1 member from the United States Forest Service appointed pursuant to clause (B) of paragraph (2); 1 member from the executive office of energy and environmental affairs appointed pursuant to clause (C) of paragraph (2); and 1 member from the remaining members of the partnership board, appointed pursuant to clauses (D) to (P), inclusive, of paragraph (2), to be selected by the partnership board. The partnership board chair shall automatically be a member of the executive committee thereby filling the executive committee membership requirement for that membership slot, such that, if the partnership board chair is a member from a municipality appointed pursuant to clause (A) of paragraph (2), there shall only be 1 other member from a municipality appointed pursuant to said clause (A) of said paragraph (2) on the executive committee and such that if the partnership board chair is a member appointed pursuant to clauses (D) to (P) inclusive, of said paragraph (2) that member shall fulfill the executive committee membership requirement for members appointed pursuant to clauses (D) to (P), inclusive, of said paragraph (2).

(B) The executive committee shall provide direction to the administrative agent to conduct activities as described in subsection (f).

(C) The executive committee shall approve expenditures of the administrative agent as they relate to the implementation of the partnership plan.

(D) The executive committee shall approve the staff of the administrative agent working to implement the partnership plan.

(E) The executive committee shall provide regular reports to the partnership board.

(F) The executive committee may assume other responsibilities necessary to implement the partnership plan.

(11) The partnership board shall prepare and adopt, by a 2/3 vote, bylaws covering regular operating practices of the partnership board and the executive committee of the partnership board.

(f) (1) Within 1 year after the date of the establishment of the Mohawk Trail Woodlands Partnership Board and receipt of any federal or state appropriation, the Mohawk Trail Woodlands Partnership Board shall designate an existing or newly created non-profit entity to serve as the administrative agent for the Mohawk Trail Woodlands Partnership. Provided funding is available, the administrative agent shall, under the direction of the partnership board, implement the partnership plan. The Mohawk Trail Woodlands Partnership Board shall have the authority to designate a different entity as administrative agent by a 2/3 vote.

(2) The administrative agent shall, with the approval of the executive committee, be entitled to receive and expend funds from the Mohawk Trail Woodlands Partnership Fund, subject to the requirements set forth subsection (h) for the purposes of implementing the partnership plan.

(3) For the purposes of implementing the partnership plan described in subsection (g) and notwithstanding any other provision of law, the administrative agent of the partnership may seek and accept donations of funds, grants, revenue, property, or services from individuals, foundations, corporations, and other private and public entities for the purpose of carrying out the partnership plan.

(4) For purposes of implementing the partnership plan described in subsection (g), the administrative agent of the partnership may enter into cooperative agreements with the federal government, the commonwealth, any political subdivision thereof, or with any organization or person.

(5) The administrative agent of the partnership shall provide the partnership with such staff and technical assistance considered appropriate to enable the implementation of the partnership plan described in subsection (g). The administrative agent of the partnership may accept the services of personnel detailed from the United States Forest Service, including any branch or division of the United States Forest Service, the commonwealth, any political subdivision of the commonwealth, any entity represented on the partnership board or any other entity whose mission aligns with the purposes defined in subsection (b) , subject to the approval of the partnership board.

(6) The administrative agent of the partnership may obtain by purchase, rental, donation, or otherwise, such property, facilities, and services, including the acquisition of real property or interest in real property, as may be needed to implement the partnership plan.

(g) (1) Within 3 years after the establishment of the Mohawk Trail Woodlands Partnership Board and receipt of sufficient federal or state appropriations, the Mohawk Trail Woodlands Partnership shall develop a partnership plan for the Mohawk Trail Woodlands Partnership Activities Area to be implemented by the partnership.

(2) The partnership plan shall include but not be limited to each of the following:

(A) A resource assessment to include:

UNCORRECTED PROOF.

(i) an assessment of natural resources, including forest resources, agricultural resources, water resources, important natural habitat areas, and rare and important species;

(ii) an identification of conserved lands, including permanently protected open space and temporarily conserved lands; and

(iii) an assessment of recreational resources, including trails and associated recreational support facilities.

(B) A socio-economic assessment of the participating municipalities, including population, income and employment;

(C) A fiscal assessment of the municipalities in the Mohawk Trail Woodlands Partnership Activities Area to include an assessment of municipal revenue, expenditures, services and taxes;

(D) An assessment of existing programs and activities and associated entities, offered in the Mohawk Trail Woodlands Partnership Activities Area including local, state, and federal governmental units, nonprofit organizations and private interests that align with the purposes defined in subsection (b);

(E) An identification of policies, programs and activities to achieve the purposes defined in subsection (b), including those to:

(i) support and expand sustainable forest management practices in the Mohawk Trail Woodlands Partnership Activities Area;

(ii) increase forest land conservation in the Mohawk Trail Woodlands Partnership Activities Area;

(iii) support and increase sustainable natural resource based economic development and employment, including natural resource-based tourism, in the Mohawk Trail Woodlands Partnership Activities Area;

(iv) support educational and visitor information related to the Mohawk Trail Woodlands Partnership Activities Area;

(v) support and promote the long term social and fiscal sustainability of the participating municipalities in the Mohawk Trail Woodlands Partnership Activities area;

(vi) support and promote forest resilience and carbon sequestration and storage in the Mohawk Trail Woodlands Partnership Activities Area; and

(vii) define, quantify and support forest ecosystems in the Mohawk Trail Woodlands Partnership Activities Area.

(F) A coordination and consistency component which details the ways in which programs, activities and policies of local, state, and federal governmental units, nonprofit organizations and private entities may best be coordinated to implement the partnership plan.

(G) A financial component, which details the costs and revenues of implementing the partnership plan, including, but not limited to:

(i) costs to implement each of the programs and activities identified in clause (E);

(ii) associated capital costs;

(iii) associated operational costs, including costs of the administrative agent as defined in subsection (f);

(iv) any anticipated extraordinary or continuing costs;

(v) details of the sources of revenue, including, but not limited to appropriations from state and federal departments and agencies, investment or interest income, including receipts from the Mohawk Trail Woodlands Partnership Fund, grants, donations, loans, loan repayments, receipts from the private sector, receipts from any income-producing venture undertaken by the partnership, and

other sources of revenue;

(vi) a 5 year timetable of projected revenues and expenditures; and

(vii) an identification of the projected revenue, including amounts and projected earnings from the Mohawk Trail Woodlands Partnership Fund, to ensure the purposes of this section are sustained in perpetuity.

(3) In developing the partnership plan, the partnership shall:

(A) consult with appropriate officials of any local government or federal or state agency;

(B) consult with interested conservation, business, professional, and citizen organizations; and

(C) conduct open meetings advertised to the public in the Participating Communities for the purposes of providing interested persons with the opportunity to comment on items contained in the partnership plan.

(4) The partnership board shall have authority to approve or disapprove the partnership plan.

(5) The partnership board shall review the partnership plan, no less than annually. The partnership plan shall be updated no less than every 10 years except that the partnership board may by majority vote request the entire partnership plan or sections of the partnership plan be updated at any time.

(h) (1) For the purposes of carrying out this section, the Mohawk Trail Woodlands Partnership Fund, may accept and receive receipts and donations of funds from:

(i) any public or private source, including but not limited to gifts, grants, property, supplies, revenue, or services from individuals, foundations, corporations, and other private or public entities, including the commonwealth and agencies of the federal government;

(ii) federal appropriations if authorized by companion federal law, federal reimbursements and grant-in-aid; and

(iii) interest and investment income earned from the Mohawk Trail Woodlands Partnership Fund.

(2) Receipts into the Mohawk Trail Woodlands Partnership Fund may be invested to generate income which may be utilized for any purpose consistent with the purposes of this act. Preference for investments of the Mohawk Trail Woodlands Partnership Fund shall be given to those that advance the purposes set forth in subsection (b).

(3) Funds from the Mohawk Trail Woodlands Partnership Fund shall be used as defined in the Partnership Plan, as updated or amended and may include establishment of or support for the following:

(i) An Investment Trust Fund, hereafter referred to as the Investment Trust Fund, to maintain the long term sustainability of the Mohawk Trail Woodlands Partnership. A sufficient amount of funding shall be invested and maintained in the Investment Trust Fund, as stated in the bylaws, to ensure the purposes of this section and the activities of the partnership are sustained in perpetuity.

(ii) A multi-purpose center, known as the 'Mohawk Trail Forest Center' to provide tourism services, technical assistance to forestry and tourism businesses and forest landowners, technical assistance on implementing sustainable forest management practices, technical assistance with selling carbon credits from private and municipal forests credits, research and development, marketing, public education and space for the Administrative Agent as described in subsection (f);

(iii) One or more demonstration and research forests including those to be established through agreement with the United States Forest Service or the

executive office of energy and environmental affairs and its agencies, or both the United States Forest Service or the executive office of energy and environmental affairs, on an appropriate parcel of private, municipal or state land to be used to research and demonstrate exemplary sustainable forest management practices to other landowners and the public via tours, publications and other educational tools;

(iv) Forest land conservation via permanent conservation restrictions pursuant to sections 31, 32 and 33 of chapter 184 of the general laws to be held by a municipality or a qualified non-profit conservation land trust with a presence in the region or the commonwealth and associated restriction monitoring according to a model conservation restriction contained in the partnership plan provided that boards of selectmen, in the case of a town, or the mayor, in the case of a city, in participating municipalities where more than 40 per cent of the total land area of the municipality is permanently protected open space must approve the purchase of a permanent conservation restriction for any land receiving funds from the Mohawk Trail Woodlands Partnership Fund;

(v) Revolving Loan Fund program to support natural resource and forest dependent businesses, provided that any related forest management must use sustainable forest management practices;

(vi) Forest Viability Program with grants provided to forest based businesses or landowners in exchange for temporary conservation restrictions on land development, provided that any related forest management must use sustainable forest management practices;

(vii) Municipal Cooperative Agreements that provide annual grants to participating municipalities to support municipal services or operations related to the purposes of the partnership as defined in subsection (b);

(viii) Forest management plans that incorporate sustainable forest management practices, and other planning assistance, for landowners;

(ix) Natural resource based recreation and tourism including promotion; and

(x) Reimbursement of costs incurred by the administrative agent, as defined in subsection (f), for activities related to the partnership.

(4) A qualified fund manager shall be selected by the partnership board to manage the Investment Trust Fund, identified in section (h)(3)(i), according to appropriate standards to achieve a rate of return consistent with the safety of the fund and with a preference for local and regional investments that advance the purposes of the partnership set forth in subsection (b). Said fund manager shall prepare an annual report to the partnership board on said Investment Trust Fund.

(5) There shall be an independent audit prepared annually for the Mohawk Trail Woodlands Partnership Fund and associated Investment Trust Fund.

(6) Should the Mohawk Trail Woodlands Partnership cease to exist, the Mohawk Trail Woodlands Partnership Fund and associated Investment Trust Fund shall be dissolved and assets dispersed according to applicable state and federal law.

(i) No funds may be appropriated through this legislation for the United States Government and its agency, the United States Forest Service to hold a fee interest in any real property in the Mohawk Trail Woodlands Partnership Activities Area.

(ii) No funding received or expended by the partnership shall be used for the construction or operation of a wood pellet or biomass manufacturing facility.”.

The amendment was adopted.

Mr. Petrolati of Ludlow being in the Chair,—

After remarks on passing the bill, as amended, to be engrossed, Mr. Sánchez of Boston and other members of the House then moved to amend it in section 2

In item 2000-7072 by adding the following: “; provided further, that not less

Consolidated
amendments.

UNCORRECTED PROOF.

than \$1,000,000 shall be expended to the Sporting, Safety, Conservation, and Education Fund of Falmouth, Inc. for the design, permitting, and restoration of the Child's River and Farley Bog in the towns of Falmouth and Mashpee; provided further, that not less than \$200,000 shall be expended for Mount Grace Land Conservation Trust to be used for continued preservation and protection of land by North Quabbin Regional Landscape Partnership; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Nashua River Embankment in the city of Leominster; provided further, that no less than \$50,000 shall be expended to promote environmental initiatives in the Roxbury neighborhood of Boston; provided further, that not less than \$300,000 shall be expended for green initiatives in the town of Orange to be managed by the Town's Green Community Committee; provided further, that not less than \$1,500,000 shall be expended for demolition of the existing building and for the design, engineering and permitting of an upgraded drainage system for the parcel and its tributaries known as 10 Lowell Street in the city of Peabody; provided further, that not less than \$50,000 shall be expended for repair of the Margin Street Rotary Garden in Lawrence; provided further, that not less than \$100,000 shall be expended for a community garden network in Lawrence; provided further, that not less than \$25,000 shall be expended for improvements to Turkey Hill Pond in the town of Rutland; provided further, that not less than \$25,000 shall be expended for improvements to Demond Hill Pond in the town of Rutland; provided further, that not less than \$1,800,000 shall be expended for the procurement and installation of a high-efficiency irrigation system to promote water conservation at the Gannon Municipal Golf Course in the city of Lynn; provided, further, that not less than \$500,000 shall be expended for the maintenance and improvements, including the design and construction of recreational fields, pedestrian and bike paths, and landscape and aesthetic improvements to the M. Joseph Manning Community Park in the town of Milton; provided further, that not less than \$300,000 shall be expended for improvements to mitigate storm surge damage and reduce siltation to the Freemans Pond culvert in the town of Brewster; provided further, that not less than \$280,000 shall be expended for recreational improvements for Brooklawn Park in the city of New Bedford; provided further, that not less than \$1,000,000 shall be expended to Magazine Beach in Cambridge for costs associated with improvements and restoration; provided further, that not less than \$1,000,000 shall be expended to Commissioner's Landing in Boston for costs associated with improvements and restoration; provided further, that not less than \$200,000 shall be expended for improvements around the Flax pond in the city of Lynn; provided further, that not less than \$2,000,000 shall be expended for the dredging and conservation of Salisbury Pond at Institute Park in the city of Worcester; provided further, that not less than \$5,000,000 shall be expended to the Charlesgate Park in Boston for costs associated with design, improvements and restoration; provided further, that not less than \$1,000,000 shall be expended on construction and restoration of East Chop Drive in Oak Bluffs; provided further, that not less than \$925,000 shall be expended to the town of Falmouth to design, engineer, and permit upgraded drainage systems for the region of Woods Hole surrounded by Millfield Street, Gardiner Road, and School Street; provided further, that not less than \$450,000 shall be expended for improvements to the Bradford Rail Trail in the city of Haverhill; provided further, that not less than \$500,000 shall be expended for the maintenance and improvement of Newton Pond in the town of Boylston; provided further, that not less than \$500,000 shall be expended for improvements to Ipswich River Park located in the town of North Reading; provided further, that not less than \$1,000,000 shall be

UNCORRECTED PROOF.

expended for renovations and repairs to the Nashua River Embankment in the town of Clinton; provided further, that not less than \$500,000 shall be expended for the construction, renovation, improvement, maintenance and handicapped accessibility of Friendship Park Playground and Roberts Field in the town of Chelmsford; provided further, that not less than \$1,500,000 shall be expended for dredging, safety and environmental improvements to Winter Pond in the town of Winchester; provided further, that not less than \$1,000,000 shall be expended for improvements to the Crystal Spring Trail, the Tedford Trail and the Cross Path and for upgrading traffic control and other improvements in the Greenwood Park area of the Middlesex Fells Reservation; provided further, that not less than \$330,000 shall be expended for improvements to East Beach at East Rodney French Boulevard in the city of New Bedford; and provided further, that not less than \$50,000 shall be expended for a study by the department of energy resources on the feasibility, administration, grid-resiliency benefits, peak-shaving benefits, and economic impact of a mobile battery storage systems”;

In item 2000-7073, in line 93, by inserting after the word “Revere” the following: “; provided further, that not less than \$1,000,000 shall be expended to the town of Duxbury for costs associated with coastal infrastructure improvements; provided further, that not less than \$200,000 shall be expended to the city of Salem for costs associated with coastal remediation and resiliency and seawall repair; provided further, that not less than \$150,000 shall be expended for seawall restorations at Apponagansett Park in the town of Dartmouth; provided further, that not less than \$660,000 shall be expended per year for the Massachusetts Bays National Estuary Program for the purposes of implementing a comprehensive plan for coastal habitat protection and restoration related to coastal resilience; provided further that not less than \$1,000,000 shall be expended to the city known as the town of Weymouth for costs associated with coastal infrastructure improvements, beach nourishment and natural solutions at George Lane Beach and Wessagusset Beach; provided further, that not less than \$50,000 shall be expended to the city of Methuen for a stormwater management plan for the city of Methuen; provided further, that not less than \$500,000 shall be expended to purchase a Vactor for the purposes of cleaning drains and culverts in the town of Saugus; provided further, that not less than \$1,000,000 shall be expended for shoreline and park restoration at Blessing of the Bay park in the city of Somerville; provided further, that not less than \$75,000 shall be expended for salt-tolerant plantings in East Boston waterfront parks in the city of Boston; provided further, that not less than \$1,000,000 shall be expended for repair of the Fisherman beach boat house, beach pier, outfall and launching ramp in the town of Swampscott; provided further, that not less than \$50,000 shall be expended for the purpose of the restoration of dunes and sediment containment at Blish Point in the town of Barnstable”;

In item 2000-7074, in line 113, by inserting after the word “plan” the following: “; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Allen Pond Dam in the Town of Walpole; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Colburn Dam in the City of Leominster; provided further, that not less than \$1,000,000 shall be expended for improvements to the Armory Street section of Van Horn dam in the city of Springfield; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Tileston and Hollingsworth Dam located in the Hyde Park section of the city of Boston; provided further, that not less than \$200,000 shall be expended for repairs to the Williamsville Pond Dam in the town of Hubbardston; provided further, that not less

UNCORRECTED PROOF.

than \$400,000 shall be expended for the engineering and construction costs for the restoration of the Herring Run retaining walls in the town of Brewster; provided further, that not less than \$1,000,000 shall be expended for renovations and repairs to the Reservoir Pond Dam, located on Pleasant Street in the town of Canton”;

In item 2000-7075, in line 137, by inserting after the word “purposes” the following: “; provided further, that not less than \$1,000,000 shall be expended for the acquisition of an old rail bed for the extension of the Bruce Freeman Trail into Framingham”;

In item 2200-7022, in line 183, by inserting after the word “eradication” the following: “; provided further that not less than \$1,000,000 shall be expended for water quality treatment and natural resource area improvements and enhancements in the town of Medway; provided further, that not less than \$150,000 shall be expended for weed eradication on Lake Singletary in the towns of Sutton and Millbury; provided further, that not less than \$100,000 shall be expended for the removal of the pump house at the Lower Mill Pond in the city of Easthampton; provided further, that for municipalities in the Buzzards Bay embayment, not less than \$2,000,000 shall be expended for wastewater treatment upgrades or resiliency enhancements to associated lagoon treatment systems; provided further, that no less than \$500,000 shall be expended for the design and construction of the Southeastern Massachusetts Bioreserve Education and Discovery Center; provided further that not less than \$500,000 be expended for the restoration of the Miles River which runs through the Towns of Hamilton, Ipswich, Wenham and the City of Beverly; provided further that not less \$775,000 be expended for the replacement of the Town Wharf Sewer Pumping Station in the Town of Ipswich; provided further that not less than \$480,000 be expended for improvements to culverts along Topsfield Road in the Town of Wenham; provided further that not less than \$250,000 be expended for environmental abatement of soil contamination and asbestos removal at the Town Hall in the Town of Topsfield; provided further, that not less than \$1,000,000 shall be expended for planning and engineering costs related to the DHY Clean Waters Community Partnership, an inter-municipal partnership between the towns of Dennis, Harwich, and Yarmouth, toward the reduction of nitrogen and improvement of water quality in the Bass River watershed and associated waterways; provided further, that not less than \$1,000,000 shall be expended for the Long Pond Water Quality and Invasive Weed Management project, located in the towns of Freetown and Lakeville, for support of an integrated, early detection and rapid response system for invasive species and completion of a strategic management plan for invasive species; provided further, that not less than \$1,000,000 shall be expended for storm surge protection, drainage and sewer infrastructure upgrades and stormwater retention in the city of Newburyport; provided further, that not less than \$2,000,000 shall be expended for the purposes of evaluating the efficacy of adaptive management measures to reduce nitrogen pollution of coastal waterways undertaken pursuant to an approved area-wide water quality plan, to fund the Center for Coastal Studies to monitor and report on the water quality of areas subject to said study and to support further assessment and water quality modeling to further refine said study; provided further, that not less than \$1,000,000 shall be expended for the planning, design, construction, and any other associated costs for drainage improvements along Route 9 adjacent to Boulder Brook and Morses Pond in the town of Wellesley; provided further, that not less than \$2,000,000 shall be expended for drinking water treatment in the town of Holliston; provided further, that not less than \$125,000 shall be expended to reduce the risk of wetland contamination from the Flint Road Landfill in the town of

Charlton”;

In item 2200-7024 by adding the following: “; provided, that not less than \$400,000 shall be expended to repair town-owned property at Lead Mills in the town of Marblehead to prevent erosion of a landfill cap”;

In item 2200-7016, in line 194, by inserting after the word “Plan” the following: “; provided, that not less than \$1,000,000 shall be expended for the removal of hazardous materials and drainage improvements to the old Dalton High School site in the town of Dalton; and”;

In item 2300-7019, in line 231, by inserting after the word “Lee” the following: “; provided further, that not less than \$250,000 shall be expended for the demolition of the boat ramp at Lakeside Avenue on Lake Char-gogg-a-gogg-man-chaugg-a-gogg-chau-bun-a-gung-a-maugg in the town of Webster, and for the conversion of the property and parking area into a public recreational park”;

In item 2300-7022 by adding the following: “provided further, that not less than \$30,000 shall be expended for drainage improvements needed to protect the Goldthwait Reservation Salt Marsh in the town of Marblehead”;

In item 2500-7021, in line 279, by inserting after the word “commonwealth” the following: “; provided further, that no less than \$50,000 shall be expended for the development and support of Farmer’s Markets; provided further, that not less than \$1,000,000 shall be expended for the establishment of a Massachusetts center for clean energy innovation at the University of Massachusetts at Lowell to provide a platform for evaluating technologies, bolstering new companies and fostering cutting-edge research; provided further, that not less than \$1,000,000 shall be expended for the establishment of an energy storage innovation institute at the Massachusetts Clean Energy Center to promote energy storage innovation in the commonwealth; provided further, that not less than \$500,000 shall be expended for research and pre-commercialization activities to develop electrolyte and separator materials that have the potential to dramatically reduce the cost of liquid flow batteries; provided that \$500,000 shall be expended for projects at the Institute for Applied Life Sciences at the University of Massachusetts Amherst”;

In item 2511-0122 by adding the word “; and provided further, that funds may be used to develop a statewide farmland plan”;

In item 2000-7079 by adding the following: “; provided further, that not less than \$200,000 shall be expended to delead and repaint the bridge on Cliff Road over the railroad tracks in the town of Wellesley; provided further, that not less than \$2,500,000 shall be expended for abatement, demolition and restoration of the Strathmore property on the Connecticut River in the town of Montague”;

In item 2800-7020 by adding the following: “; provided further that not less than \$1,000,000 shall be expended for the protection and maintenance of the Herring Run to Whitman’s Pond, located in the city known as the town of Weymouth”;

In item 2800-7014, in line 334, by inserting after the word “plan” the following: “; provided further, that not less than \$1,000,000 shall be expended to the town of Pembroke for costs associated with dredging; provided further, that not less than \$2,000,000 shall be expended to the city of Beverly for costs associated with dredging of the Bass River; provided further, that not less than \$798,000 shall be expended to the city of Melrose for costs associated with dredging First Pond in Melrose; provided further, than not less than \$500,000 shall be expended for the dredging of the Back River in the area of the Weymouth Back River boat launch facility; provided further, that not less than \$1,000,000 shall be expended for the

UNCORRECTED PROOF.

purpose of dredging Indian Lake in Worcester; provided further, that not less than \$1,000,000 shall be expended for improvements to the Sword Street culverts in the town of Auburn; provided further, that not less than \$100,000 shall be expended to the city of Haverhill in partnership with the Greater Haverhill Foundation for costs related to removing an impediment in the Rocks Village area of the Merrimack River; provided further, that not less than \$2,000,000 shall be expended for the dredging of Squantum and Wollaston Yacht Club emergency boat access in Wollaston Beach in the city of Quincy; provided further, that not less than \$400,000 shall be expended to reconstruct the boat launch ramp at Pontoosuc Lake”;

In item 2800-7025, in line 349, by inserting after the word “access” the following: “; provided further, that not less than \$5,000,000 shall be expended to purchase and install a fourth pump at the Amelia Earhart Dam in the city of Somerville;”;

In item 2840-7025 by adding the following: “; provided further, that not less than \$2,300,000 shall be expended for the construction of the outdoor center, campgrounds, recreational trail system and event parking area at the Greylock Glen in the town of Adams; provided further, that not less than \$1,000,000 shall be expended for the design and construction of improvements to the Southern New England Trunkline Trail in the city known as the town of Franklin; provided further, that not less than \$1,000,000 shall be expended for repairing the membrane of the Gerena tunnel; provided further, that not less than \$750,000 shall be expended for Phase II of the Riverfront Park project in Watertown; provided further, that not less than \$1,200,000 shall be expended for rehabilitation of landscape, pathways, lighting, and vegetation, and restoration of the brick and limestone walls in Lowell Memorial Park in Cambridge; provided further, that not less than \$25,000 shall be expended for repairing the Cronin Playground retaining wall; provided further, that not less than \$1,000,000 shall be expended for the engineering of a shared-use-path along Service Road in the town of Sandwich; provided further, that not less than \$400,000 shall be expended for rehabilitation of playgrounds in the town of Sudbury; provided further, that not less than \$400,000 shall be expended for rehabilitation of playgrounds in the town of Wayland; provided further, that \$500,000 shall be expended for resilience-based projects at Martin’s Park in the city of Boston; provided further, that not less than \$100,000 shall be expended for improvements to Moore State Park in the town of Paxton; provided further, that not less than \$500,000 shall be expended for pond dredging and safety improvements for recreation activities at Highland Park in the city of Greenfield; provided further, that not less than \$1,000,000 shall be expended for improvements, including dredging, landscaping, waterway access, public docks and ramps, parking areas, restrooms, and boardwalk access to Hutchinson Field, to the Milton Landing Waterfront in the town of Milton; provided further, that not less than \$700,000 shall be expended to study and implement the raising of certain athletic assets in the Langone Puopolo Park in city of Boston; provided further, that not less than \$500,000 shall be expended for the design and construction of a visitors and education center for the Freetown State Forest, located in the town of Freetown; provided further, that not less than \$1,000,000 shall be expended for the rehabilitation and improvement of Whitney Pond Dam in the town of Winchendon; provided further, that not less than \$900,000 shall be expended for the development of Omelia Park in the City of Gardner; provided further, that not less than \$100,000 shall be expended for the development of the William J. Bresnahan Scouting and Community Center Inc. in the town of Ashburnham; provided further, that not less than \$1,000,000 shall be expended for repairs, maintenance and improvements of

the Leo J. Martin Memorial Golf Course in the town of Weston; provided further, that not less than \$250,000 shall be expended to install lights at the baseball fields located at Aaron Krock Memorial Park in Worcester; provided further, that not less than \$1,000,000 shall be expended for the purpose of making improvements to Goodale Park in the town of West Boylston; provided further, that not less than \$30,000 shall be expended for the relocation of the skate park in the town of Auburn; provided further, that not less than \$1,000,000 shall be expended for design and construction of swimming and recreational facilities in the vicinity of North Point Park in the city of Cambridge and the city of Boston; provided further, that not less than \$1,000,000 shall be expended for the maintenance and improvement to the Town Beach in the town of Sterling; provided further, that not less than \$100,000 shall be expended for improvements to Memorial Park in the town of Reading; provided further, that not less than \$275,000 shall be expended for improvements to Washington Park in the town of Reading; provided further, that not less than \$150,000 shall be expended for improvements at Hunt Park in the town of Reading; provided further, that not less than \$500,000 shall be expended for the design and construction of a new veterans park in the city of Lowell; provided further, that not less than \$175,000 shall be expended for improvements at Symonds Way in the town of Reading; provided further, that not less than \$1,500,000 shall be expended for the cleanup and stabilization of the historic property located at 12 North Main Street in the town of Westford; provided further, that not less than \$250,000 shall be expended for improvements at Sturges Park in the town of Reading; provided further, that not less than \$1,000,000 shall be expended for the public restroom facility at Salisbury Beach in the town of Salisbury; provided further, that not less than \$400,000 shall be expended for renovation of the tot lot, passive areas, and athletic field at the Crawford Street Playground in the city of Boston; provided further, that not less than \$1,000,000 shall be expended for repairs and improvements to Foss Park in the city of Somerville; provided further, that not less than \$1,000,000 shall be expended for Mill Brook Bank Stabilization in the town of Arlington; provided further, that not less than \$300,000 shall be expended for planning and construction of a recreational area at 40-48 Geneva Avenue in the Grove Hall section of Boston; provided further, that not less than \$1,000,000 shall be expended for Mill Brook Culvert and Outfall Repair and Improvement in the town of Arlington; provided further, that not less than \$2,000,000 shall be expended to reopen the historic Blackstone Canal Park in Worcester”;

In item 2890-7034, in line 398, by inserting after the word “Boston” the following: “; provided further, that not less than \$150,000 be expended for construction of the multi-use recreational Southern New England Trunkline Trail in the towns of Douglas and Uxbridge; provided further, that not less than \$100,000 shall be granted to the Towns of Dudley and Webster for improvements to the Quinnebaug Rail Trail; provided, further, that \$1,000,000 shall be expended for the feasibility, design, and permitting of the Bourne Rail Trail Shared-Use Path along the Massachusetts Department of Transportation Rail Line Right-of-Way from the existing Shining Sea Bike Path in North Falmouth to the Cape Cod Canal in the town of Bourne; provided further, that not less than \$500,000 shall be expended for improvements to pedestrian and vehicle access, including safety improvements, to the Burma Trail in the town of Milton; provided further, that not less than \$500,000 shall be expended for the survey, design and permitting of the Merrimack River Trail; provided further, that not less than \$500,000 shall be expended for flood and drainage improvements surrounding the Skyline Trail in the town of Hinsdale; provided further, that not less than \$1,000,000 shall be expended on the Upper

Charles bike trail in Ashland; provided further, that not less than \$15,000 shall be expended to the town of Millis to replace existing water booster pump station; provided further, that not less than \$2,000,000 shall be expended for the design, acquisition and construction of multipurpose trails in the town of Natick; provided further, that not less than \$50,000 shall be expended for signage and other design efforts along the Weston portion of the Massachusetts Central Rail Trail; provided further, that not less than \$2,000,000 shall be expended on a trail in the City of Framingham dedicated to the memory of former Representative Chris Walsh; provided further, that funds may be used for planning, design, and construction of the trail and any related structures and infrastructure; provided further, that not less than \$400,000 shall be expended for the repair of the Sacarrappa Road Bridge, Bridge No. 0-06-053, in the town of Oxford”;

In section 2A, in item 2000-7081 by adding the following: “; and provided further, that not less than \$5,000,000 shall be expended for the establishment and initial funding of the UMass Fleet Electrification Grant Program to provide monies and technical assistance to universities in the University of Massachusetts system for the purpose of implementing innovative transportation planning and fleet electrification projects”;

In item 8000-2007 by adding the following: “; and provided, that not less than \$500,000 shall be expended to fund a regional hazard mitigation initiative for the towns of Cohasset, Hingham, Hull, and Scituate, which shall include, but not be limited to, coordinating a prioritized regional hazard mitigation plan to improve collective hazard planning, increasing public safety, and streamlining emergency response”;

In section 2C, in item 2000-7077, in line 478, by inserting after the word “projects” the following: “; provided further, that not less than \$1,000,000 shall be expended for the redevelopment of Green Leaf Park including the master plan which coincides with state and municipal resiliency plans including installation of traffic control signals and other related safety improvements, at the Parker street vehicle entrance to Green leaf Park in the city of Springfield; provided further, that not less than \$1,500,000 shall be expended to improve Forest Park and Blunt Park roadways and to repair Forest Park erosion damage in the city of Springfield; provided further, that not less than \$1,000,000 shall be expended to reopen the access road in Blunt Park between Roosevelt Avenue and Tapley Street in the city of Springfield; provided further, that not less than \$2,000,000 shall be expended to the town of West Springfield for phase II improvements to Mittineague Park”;

In item 2000-7078, in line 497, by inserting after the word “affairs” the following: “; provided further, that not less than \$750,000 shall be expended to build or upgrade the woodland trails system in Forest Park, Blunt Park and Van Horn Park; provided further, that not less than \$35,000 shall be expended for parking lot access improvements on Route 47 for the River to Range Trail in the Town of South Hadley; provided further, that not less than \$500,000 shall be expended for the completion of the feasibility study for the Wakefield-Lynnfield Rail Trail in the town of Wakefield and in the town of Lynnfield; provided further, that not less than \$250,000 shall be expended for the completion of a bridge on the Grand Trunk Trail in the town of Brimfield and the connection of the Brimfield trail system with the Sturbridge trail system;”;

In item 2800-7023 by adding the following: “; provided further, that no less than \$50,000 shall be expended for the efforts to restore the trees being in the Fenway community of the Emerald necklace; and provided further, that not less than \$300,000 shall be expended to update the tree inventory system in the city of

Springfield”; and

In section 2D, in item 6121-1315, in line 520, by inserting after the word “municipalities” the following: “; provided, that not less than \$3,000,000 shall be expended for the reconstruction of Turnpike Street in the Town of Stoughton to combat roadway settlement caused by of a vast depth of decomposing subsurface material; provided further, that not less than \$2,000,000 shall be expended to elevate Main Street in the Charlestown neighborhood in the city of Boston; provided further, that not less than \$166,000 shall be expended to repair damage to the Ferry Lane Parking Lot in the town of Marblehead caused by undermining from winter storms”.

After debate on the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 143 members voted in the affirmative and 3 in the negative.

Consolidated amendments adopted,—
yea and nay
No. 371.

[See Yea and Nay No. 371 in Supplement.]

Therefore the consolidated amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 2, in item 2000-7072, in line 79, by striking out the figures: “165,000,000” and inserting in place thereof the figures: “190,000,000”;

In item 2000-7073, line 92 by inserting after the word “plan” the following: “; \$130,000 for an emergency operations center in the town of Wareham to assist with climate response and resiliency”, and in said item by striking out the figures: “60,000,000” and inserting in place thereof the figures: “66,000,000”;

In item 2000-7022 by striking out the figures: “95,000,000” and inserting in place thereof the figures: “109,000,000”;

In item 2500-7021 by striking out the figures: “50,000,000” and inserting in place thereof the figures: “54,000,000”;

In item 2000-7079 by striking the figures: “2,500,000” (inserted by amendment) and inserting in place thereof the figures: “5,000,000”;

In item 2800-7014 by striking out the figures: “21,000,000” and inserting in place thereof the figures: “33,000,000”;

In section 3, in line 539, by striking out the figures: “1,513,500,000” and inserting in place thereof the figures: “1,574,500,000”;

In section 7, in line 581, by striking out the figures: “1,047,000,000” and inserting in place thereof the figures: “233,500,000”;

In section 76, in lines 1249 and 1250, by inserting after item “6720-1335” the following: “; 7100-3022”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 143 members voted in the affirmative and 3 in the negative.

Bill passed to be engrossed,—
yea and nay
No. 372.

[See Yea and Nay No. 372 in Supplement.]

Therefore the bill (House, No. 4613, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next sitting.

Mr. Barrows of Mansfield then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-four minutes after seven o'clock P.M. (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JUNE 14, 2018.

[65]

JOURNAL OF THE HOUSE.

Thursday, June 14, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice and Fairness, we pray for our House membership as they continue the work of the people in their home towns and stride to create acts of law that are helpful to the constituents.

Prayer.

We remember and give thanks for the quiet towns of Tolland and East Bridgewater.

Tolland of Hampden County was incorporated on June 16, 1810 and East Bridgewater of Plymouth County was incorporated on this day in 1823.

We pray for their representatives Geoff Diehl and Michelle DuBois who serve East Bridgewater, and Smitty Pignatelli who serves Tolland.

May God continue to bless our Commonwealth.

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.

Resolutions.

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

Resolutions (filed by Mr. McMurtry of Dedham and other members of the House) congratulating the Norfolk County Registry of Deeds on 225 years of service; and

Norfolk Registry of Deeds.

Resolutions (filed by Representatives Tyler of Boston, Livingstone of Boston and Rushing of Boston) celebrating the Fenway Porchfest, the Fenway Alliance, the Fenway Civic Association, and the Fenway Community Development Corporation and their mission;

Fenway neighborhood,— organizations.

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

Communication.

A communication from the Department of Public Health (see item 4510-0108 of Chapter 47 of the Acts of 2017) submitting a report detailing recommendations for the inclusion of other entities that may realize cost savings by joining the state

Pharmacy services.

Office of Pharmacy Services, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Hawkins of Attleboro, a petition (accompanied by bill, House, No. 4618) of James K. Hawkins and Elizabeth A. Poirier (with the approval of the mayor and city council) relative to polling places in the city of Attleboro. To the committee on Election Laws.

Attleboro,—
polling
places.

By Representatives Whelan of Brewster and Peake of Provincetown, a petition (accompanied by bill, House, No. 4619) of Timothy R. Whelan and Sarah K. Peake (by vote of the town) relative to the affordable housing trust fund of the town of Brewster. To the committee on Housing.

Brewster,—
affordable
housing.

By Representative Mirra of West Newbury and Senator Tarr, a joint petition (accompanied by bill, House, No. 4620) of Leonard Mirra and Bruce E. Tarr (by vote of the town) that the town of Groveland be authorized to establish an appointed highway superintendent in said town. To the committee on Municipalities and Regional Government.

Groveland,—
highway
superintendent.

Severally sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill) of Harriette L. Chandler, Michael O. Moore and Kate D. Campanale for legislation to establish a sick leave bank for Elizabeth Fontaine, an employee of the Department of Children and Families, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Elizabeth
Fontaine,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2560) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill amending the provisions of Chapter 145 of the Acts of 1937 (House, No. 4523), be scheduled for consideration by the House.

Buzzards Bay
Water District.

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, asking to be discharged from further consideration

Of the Senate Bill relative to the promotion of mental health education in Massachusetts high schools (Senate, No. 2112); and

Mental health,—
schools.

Of the House Bill relative to future public retiree healthcare benefits (House, No. 2567);

Healthcare,—
public retirees.

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence, insomuch as relates to the discharge of the committee.

UNCORRECTED PROOF.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4185, a Bill authorizing the town of Norwood to grant up to five additional licenses for the sale of alcoholic beverages (House, No. 4614) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Norwood,—
liquor
licenses.

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

Under suspension of the rules, on motion of Mr. Galvin of Canton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, Nos. 635, 636, 637, 644, 645, 647, 2227, 2228, 2229, 2231, 2233, 2235, 2996, 2997, 3001, 3002, 3003, 3490, 3491, 3576 and 3777, an Order relative to authorizing the committee on Higher Education to make an investigation and study of certain House documents concerning higher education (House, No. 4610). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Higher
education,—
study.

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. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following matters ought to pass:

The House Bill relative to community policing and behavioral health (House, No. 4356); and

Community
policing.

The House Resolve providing for an investigation and study by a special commission relative to robotic surgery in the Commonwealth (House, No. 1182).

Robotic
surgery.

By Mr. Galvin of Canton, for the committee on Rules, that the Bill establishing a special commission pertaining to small businesses and minority-owned businesses in Western Massachusetts (House, No. 4406), ought to pass.

Small and
minority
businesses.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill establishing the Honorable Peter V. Kocot Act to enhance access to high quality, affordable and transparent healthcare in the Commonwealth (House, No. 4605), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4617). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Healthcare,—
access.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on House, Nos. 4491 and 4494, that the Bill relative to mandated reporter reform (House, No. 4491), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches; acting concurrently.

Mandated
reporters,—
reform.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Requiring automated external defibrillators in assisted living residences (House, No. 347) [Cost: Greater than \$100,000.00];

Assisted living,—
defibrillators.

UNCORRECTED PROOF.

Relative to promoting innovation in eldercare services (House, No. 2076) [Cost: Greater than \$100,000.00];	Eldercare,— innovation.
Relative to electronic prescribing of opiates and other controlled substances (House, No. 2453) [Cost: Greater than \$100,000.00];	Opiates,— prescriptions.
Relative to the public health benefits of expanding access to drinking water in public places (House, No. 2461) [Cost: Greater than \$100,000.00];	Public places,— water.
Relative to nuclear power plant protections (House, No. 2472) [Cost: Greater than \$100,000.00];	Nuclear power plants.
To promote quality physical education (House, No. 4127) [Cost: Greater than \$100,000.00];	Physical education.
Relative to public hearings of the Group Insurance Commission (House, No. 4259) [Cost: Greater than \$100,000.00]; and	GIC,— hearings.
Relative to patient access to information regarding breast reconstructive surgery (House, No. 4490) [Cost: Greater than \$100,000.00].	Breast reconstructive surgery.
Severally read; and referred, under Rule 33, to the committee on Ways and Means.	
By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on a petition, a Bill relative to stabilizing the Commonwealth's nursing facilities (House, No. 2072).	Nursing facilities.
By the same member, for the same committee, on a petition, a Bill relative to the nursing home quality jobs initiative (House, No. 2890).	Nursing homes,— jobs.
By the same member, for the same committee, on House, No. 2885, a Bill relative to liability for medical assistance paid (House, No. 4611).	Medical assistance.
Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.	
By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to banking law (House, No. 509).	Banking.
By the same member, for the same committee, on a petition, a Bill relating to modernizing business to business commercial insurance transactions (House, No. 2159).	Businesses,— commercial insurance.
By the same member, for the same committee, on House, No. 2966, a Bill modernizing the credit union laws (House, No. 4612).	Credit unions.
Severally read; and referred, under Rule 33, to the committee on Ways and Means.	
By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (House, No. 4551) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.	Auburn,— land.

Engrossed Bills.

Engrossed bills	
Establishing a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health (see Senate, No. 2444) (which originated in the Senate); and	Bills enacted.
Designating the boardwalk at Heritage State Park in the city of Fall River as	

UNCORRECTED PROOF.

the Robert Correia Boardwalk (see House, No. 4166, amended) (which originated in the House);

In respect to 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.

Orders of the Day.

The Senate amendment of the House Bill establishing a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents (House, No. 4336, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Gloria Phillips,—
sick leave.

House bills

Authorizing the transfer of care and control of certain parcels of land in the town of Middleborough from the Department of Correction to the Department of Fish and Game (House, No. 4261) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

Authorizing the town of Hopkinton to establish a means-tested senior citizen property tax exemption (House, No. 4389);

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.

House bills

Prohibiting gunfire directed at dwelling houses (House, No. 908); and
Relative to accidental disability retirement for Jan Witkowski (House, No. 3790);

Second
reading
bills.

Severally were read a second time; and they were ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven minutes before twelve o'clock noon, on motion of Mr. Barrows of Mansfield (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JUNE 18, 2018.

[66]

JOURNAL OF THE HOUSE.

Monday, June 18, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Warmth and Light, we give thanks today for the work of our elected officials here in our State House. May Your Spirit of Justice continue to guide their efforts and the work of their staff.

Prayer.

We celebrate that on this day in 1833 the American Optical Company was founded in Southbridge, Massachusetts. Eventually the company came under the leadership of George Wells, an inventor. Wells crafted the first spectacle frames made of steel, a much cheaper material than other metals that were used at the time.

Wells also invented various glass cutting instruments to aid in the production of the lenses. For several years the A.O. as it came to be known in Worcester County, produced more eyeglasses than any other manufacturer in the world.

The A.O. helped Southbridge earn its nickname as "the Eye of the Commonwealth."

Sadly in 1992, the company moved its manufacturing plant to Mexico as it came under economic pressures from foreign competition.

In addition the sons and grandsons of George Wells are responsible for the beginnings of Old Sturbridge Village, the recreated 300-acre New England village of the 1830s, the era in which the American Optical Company began its business. We pray for the 6th Worcester District Representative Peter Durant and his staff.

May God continue to bless our Commonwealth.

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.

Statement of Representative Wagner of Chicopee.

A statement of Mr. Wagner of Chicopee was spread upon the records of the House, as follows:

I would like to call to the attention of the House that I was unable to be present for the start of session on Wednesday, June 13, 2018 because of a family emergency. Had I been present, I would have voted in the affirmative on roll call number 370. My missing of this roll call was due entirely to the reason stated.

Statement of Mr. Wagner of Chicopee.

Resolutions.

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

UNCORRECTED PROOF.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Keigan Cullen on receiving the Eagle Award of the Boy Scouts of America;

Keigan
Cullen.

Resolutions (filed by Mr. Arciero of Westford) congratulating Littleton Chief of Police Matthew J. King on his retirement;

Matthew
King.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Daniel P. Eagan on receiving the Eagle Award of the Boy Scouts of America;

Daniel
Eagan.

Resolutions (filed by Miss Gregoire of Marlborough and other members of the House) recognizing June 15, 2018, as World Elder Abuse Awareness Day;

Elder Abuse
Awareness Day.

Resolutions (filed by Mr. Hecht of Watertown) commemorating Amateur Radio Week and honoring amateur radio operators as they celebrate Field Day; and

Amateur
Radio Week.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Carlisle Nash on receiving the Eagle Award of the Boy Scouts of America;

Carlisle
Nash.

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. Kafka of Stoughton, 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 Parisella of Beverly and Senator Lovely, a joint petition (accompanied by bill, House, No. 4628) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) that the city of Beverly be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises in said city. To the committee on Consumer Protection and Professional Licensure.

Beverly,—
liquor
license.

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 4629) of Michael S. Day (by vote of the town) that the town of Stoneham be authorized to amend the charter of said town to change the name of the board of selectmen; and

Stoneham,—
charter.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4630) of Sarah K. Peake and Julian Cyr (by vote of the town) relative to the membership of the conservation commission of the town of Provincetown;

Provincetown,—
conservation
commission.

Severally to the committee on Municipalities and Regional Government.

By Mr. Gordon of Bedford, a petition (accompanied by bill, House, No. 4631) of Kenneth I. Gordon (by vote of the town) that the town of Wilmington be authorized to appoint of Adam J. Silva as a firefighter in the town of Wilmington, notwithstanding the maximum age of applicants for appointment of firefighters. To the committee on Public Service.

Wilmington,—
Adam Silva.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Barrows of Mansfield and Senator Feeney, a joint petition (subject to Joint Rule 12) of F. Jay Barrows and Paul R. Feeney (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land to the town of Foxborough for use by the fire department of said town.

Foxborough,—
land.

By Representative Donato of Medford and Senator Jehlen, a joint petition (subject to Joint Rule 12) of Paul J. Donato and Patricia D. Jehlen (with the approval of the mayor and city council) that the city of Medford be authorized to

Medford,—
municipal
tax bills.

use inserts to accompany municipal property tax bills in said city.

By Representative Muradian of Grafton and Senator Moore, a joint petition (subject to Joint Rule 12) of David K. Muradian, Jr., and Michael O. Moore that James J. Malloy be authorized to buy back creditable service time from the Worcester Regional Retirement System.

James Malloy,—
creditable
service.

By Mr. Muradian of Grafton, a petition (subject to Joint Rule 12) of David K. Muradian, Jr., for legislation to promote adoption of certain of dogs or cats from animal shelters by establishing tax credits for certain costs associated with said adoptions and by the creation of a motor vehicle registration plate.

Pets,—
adoption.

By Mr. Roy of Franklin, a petition (subject to Joint Rules 12 and 7A) of Jeffrey N. Roy and Richard J. Ross that Gary M. Premo be authorized to buy back creditable service from the Norfolk County Retirement System.

Gary Premo,—
creditable
service.

By Mr. Zlotnik of Gardner, a petition (subject to Joint Rule 12) of Jonathan D. Zlotnik for legislation to establish a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services.

Elizabeth
Kendall,—
sick leave.

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

Paper from the Senate.

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the Bill regarding spouses as caregivers (printed as House, No. 336),— and recommending the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as relates to the discharge of the committee.

Spouses,—
caregivers.

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 petition of Susannah M. Whipps that the commissioner of Capital Asset Management and Maintenance be authorized to convey an easement over a certain parcel of land in the town of New Salem. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

New
Salem,—
land.

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

Amending Chapter 234 of the Acts of 2012 (House, No. 575); and
Making corrective amendments to Chapter 234 of the Acts of 2012 47CC (House, No. 576);

Craniofacial.
Id.

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Bill establishing the Honorable Peter V. Kocot Act to enhance access to high quality, affordable and transparent healthcare in the Commonwealth (House, No. 4605), be scheduled for consideration by the House, with the

Healthcare,—
access.

amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4617),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

By Mr. Pignatelli of Lenox, for the committee on Environmental Affairs, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4505) of Aaron Michlewitz relative to the uses of the land owned by the Commercial Wharf East Condominium and its condominium unit owners in the city of Boston under the tidelands law,— and recommending that the same be referred to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Boston,—
land.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on House, Nos. 1062, 1068, 2392, 2394, 2395, 2397, 2402, 2408, 2412, 3207 and 3593, an Order relative to authorizing the committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain House documents concerning mental health, substance use and recovery (House, No. 4624).

Alcoholism,
in-patient
care, etc.,—
study.

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 1125, 1127, 1129, 1130, 1132, 1135, 1136, 1137, 1138, 1141, 1145, 1149, 1150, 1152, 1153, 1154, 1157, 1158, 1159, 1160, 1162, 1165, 1166, 1167, 1170, 1171, 1172, 1175, 1176, 1179, 1193, 1196, 1197, 1202, 1204, 1206, 1208, 1209, 1210, 1211, 1221, 1224, 1228, 1230, 1231, 2278, 2433, 2437, 2438, 2441, 2443, 2444, 2448, 2449, 2464, 2466, 2467, 2476, 2477, 3225, 3227, 3228, 3229, 3230, 3231, 3233, 3234, 3239, 3245, 3247, 3515, 3516, 3602, 3603, 3604, 3605, 3714 and 3970, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents concerning public health (House, No. 4625).

Medications,
restaurants,
smoking, etc.,—
study.

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

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

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following bills ought to pass:

For prevention and access to appropriate care and treatment of addiction (House, No. 4470); and

Relative to mandated reporter reform (House, No. 4491);

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

Addiction,—
treatment.

Mandated
reporters.

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 2442 and 3226, a Bill to create a stroke continuum of care (House, No. 4623). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Strokes,—
care.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on Senate, No. 545 and House, No. 482, a Bill providing for equitable coverage in disability policies (House, No. 482). Read; and referred, under Rule 7A, to the

Disability
insurance,—
discrimination.

committee on Steering, Policy and Scheduling.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents (see House, No. 4336, 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.

Gloria
Phillips,—
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.

Orders of the Day.

The Senate amendment of the House Bill establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Maria
Benitez,—
sick leave.

House bills

Relative to the charter of the town of Westborough (House, No. 4444); and

Authorizing the town of Norwood to grant an additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 4614) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

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

The House Bill authorizing the town of Lenox to convey a certain parcel of land to Massachusetts Audubon Society, Inc. in exchange for 2 parcels of land in the town of Lenox (House, No. 4411) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Lenox,—
land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4627), 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. DeLeo of Winthrop,—

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

Next
sitting.

UNCORRECTED PROOF.

At ten minutes after eleven o'clock A.M., on motion of Mr. D'Emila of Bridgewater (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JUNE 19, 2018.

[67]*

JOURNAL OF THE HOUSE.

Tuesday, June 19, 2018.

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

Pledge of allegiance.

Appointments to a Special Commission.

The Speaker announced that he had appointed Representatives Haddad of Somerset and Tyler of Boston to the special commission established (under Section 5 of Chapter 177 of the Acts of 2016) to investigate, analyze and study the factors, causes and impact of pay disparity based on race, color, religious creed, national origin, gender identity, sexual orientation, genetic information as defined in section 1 of chapter 151B, ancestry, disability, and military status.

Pay disparity commission.

Statement of Representative Rogers of Cambridge.

A statement of Mr. Rogers of Cambridge was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the sitting of Wednesday, June 13. Had I been present for the taking of Yea and Nay Nos. 370, 371 and 372, I would have voted, in each instance, in the affirmative.

Statement of Mr. Rogers of Cambridge.

Resolutions.

Resolutions (filed with the Clerk by Messrs. Speliotis of Danvers and Walsh of Peabody) congratulating Dr. Herbert W. Levine on his retirement, were referred, under Rule 85, to the committee on Rules.

Herbert Levine.

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

Petition.

Mr. Kafka of Stoughton presented a petition (accompanied by bill, House, No. 4633) of Louis L. Kafka, Paul R. Feeney and Walter F. Timilty (by vote of the town) that the town of Sharon be authorized to use a certain parcel of land for general municipal purposes; and the same was referred to the committee on

Sharon,—land.

Municipalities and Regional Government. Sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2563) of Michael O. Moore and Paul K. Frost (by vote of the town) for legislation relative to marijuana-related revenue in the town of Millbury, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Millbury,—
revenue.

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:

Joint petition (accompanied by bill) of David K. Muradian, Jr., and Michael O. Moore that James J. Malloy be authorized to buy back creditable service time from the Worcester Regional Retirement System. To the committee on Public Service.

James Malloy,—
creditable
service.

Petition (accompanied by bill) of David K. Muradian, Jr., for legislation to promote adoption of certain of dogs or cats from animal shelters by establishing tax credits for certain costs associated with said adoptions and by the creation of a motor vehicle registration plate. To the committee on Revenue.

Pets,—
adoption.

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

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

Relative to protecting biometric information under the security breach law (Senate, No. 95);

Biometric
information.

Relative to the powers and duties of a regional school district (Senate, No. 264); and

Regional
schools.

Relative to solar drying of laundry (Senate, No. 1117);

Laundry.

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

Mr. Galvin of Canton, for the committee on Rules, on the Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning revenue (House, No. 4244), reported, in part, asking to be discharged from further consideration

Revenue,—
study.

Of the petition (accompanied by bill, House, No. 1544) of Bradley H. Jones, Jr., and others for legislation to establish an annual sales tax holiday; and

Sales tax
holiday.

Of the petition (accompanied by bill, House, No. 1595) of James M. Murphy and Paul McMurtry for legislation to declare a sales tax holiday for the dates of August 18, 2018 and August 19, 2018;

Id.

And recommending that the same severally be referred to the committee on Ways and Means.

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

UNCORRECTED PROOF.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1004) of Kenneth J. Donnelly, James R. Miceli, Jack Lewis, Sal N. DiDomenico and other members of the General Court for legislation to improve the Commonwealth's economy with a strong minimum wage and a strong tipped minimum wage;

Of the petition (accompanied by bill, Senate, No. 1040) of Marc R. Pacheco, Jonathan Hecht, Sal N. DiDomenico, Michael S. Day and others for legislation to establish a living wage for employees of big box retailers;

Of the petition (accompanied by bill, Senate, No. 1048) of Karen E. Spilka, Jack Lewis, Sal N. DiDomenico, Michael J. Barrett and other members of the General Court for legislation to establish a family and medical leave insurance program;

Of the petition (accompanied by bill, House, No. 1015) of Bradley H. Jones, Jr., and others relative to a study of the economic impact of the increased minimum wage;

Of the petition (accompanied by bill, House, No. 1021) of Kevin J. Kuros and others relative to wages paid to persons under eighteen years of age;

Of the petition (accompanied by bill, House, No. 2172) of Kenneth I. Gordon and others relative to establishing a paid family and medical leave insurance program;

Of the petition (accompanied by bill, House, No. 2365) of Daniel M. Donahue and others relative to the tipped minimum wage;

Of the petition (accompanied by bill, House, No. 3134) of Antonio F. D. Cabral and others for legislation to further regulate paid family leave;

Of the petition (accompanied by bill, House, No. 3152) of John J. Mahoney and others relative to increasing the minimum wage for private sector human service workers; and

Of the petition (accompanied by bill, House, No. 3154) of Elizabeth A. Malia, Sean Garballey and others for legislation to ensure the payment of at least a living wage to all employees;

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence, insomuch as relates to the discharge of the committee.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 228, 233, 234, 236, 242, 243, 260, 272, 281, 287, 293, 296, 301, 303, 2014, 2033, 2034, 2041, 2844, 2850, 2851, 2860, 2861 and 2875, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education (House, No. 4632). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

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. Galvin of Canton, for the committee on Rules, that the Bill improving real property tax abatements, application deadlines, and deferrals (Senate, No.

Minimum wage.

Retail workers,— wages.

Family and medical leave,— insurance.

Minimum wage,— study.

Wages,— minors.

Family and medical leave,— insurance.

Tipped minimum wage.

Paid family leave.

Human service workers,— minimum wage.

Living wage.

Underperforming schools,— study.

Tax abatements.

UNCORRECTED PROOF.

2135), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on Senate, No. 2533 and House, No. 4524, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (House, No. 4635). Read; and referred, under Rule 33, to the committee on Ways and Means.

Salem,—
land.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4442, a Bill authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 4621) [Local Approval Received].

Marlborough,—
liquor
licenses.

By the same member, for the same committee, on House, No. 4443, a Bill relative to the sale of alcoholic beverages in the town of Otis (House, No. 4622) [Local Approval Received].

Otis,—
liquor
license.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Keri Volk, an employee of the Department of Correction (House, No. 4616).

Keri Volk,—
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 Maria Benitez, an employee of the Department of Children and Families (see House, No. 4474, 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.

Maria
Benitez,—
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 Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents (see House, No. 4336, amended) (which originated in the House), 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.

Recess.

At eleven minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Kafka of Stoughton being in the Chair), the House recessed until a half past one o'clock P.M.; and at eighteen minutes before two o'clock the House was called to order with the Speaker in the Chair.

Recess.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

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 F. Jay Barrows and Paul R. Feeney (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land to the town of Foxborough for use by the fire department of said town. 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 State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Foxborough,—
land.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Kafka of Stoughton being in the Chair,—

The House Bill establishing a sick leave bank for Robert F. Dunphy Jr., an employee of the Executive Office [sic] of the Trial Court (House, No. 4583), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Brodeur of Melrose; and it was passed to be engrossed. Sent to the Senate for concurrence.

Robert
Dunphy,—
sick leave.

Prior to the noon recess, the House Bill establishing the Honorable Peter V. Kocot Act to enhance access to high quality, affordable and transparent healthcare in the Commonwealth (House, No. 4605), was discharged from its position in the Orders of the Day, and read a second time forthwith, under suspension of Rule 47, on motion of Mr. Mariano of Quincy.

Healthcare,—
access.

The amendment previously recommended by the committee on Way and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4617),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules (the Speaker being in the Chair), on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Mr. Jones of North Reading thereupon raised a point of order that the bill was improperly before the House because it did not contain a fiscal note as required under House Rule 33.

Point of
order.

The Speaker ruled that the point of order was not well taken because it was not raised at the appropriate time.

Mr. Hill of Ipswich thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. McKenna of Webster.

Appeal from
decision of
Chair.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”

After remarks on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 115 members voted in the affirmative and 34 in the negative.

Decision
of Chair
sustained,—
yea and nay
No. 373.

[See Yea and Nay No. 373 in Supplement.]

Therefore the decision of the Chair was sustained.

After debate on the question on passing the bill to be engrossed (Mr. Donato of Medford being in the Chair), Mr. Golden of Lowell moved to amend it by adding the following section:

“SECTION 129. Chapter 118E of the Massachusetts General Laws is hereby amended by inserting the following at the end of Section 9D(c):

‘There shall be no voluntary enrollment of residents of nursing homes into the program through the use of an automatic or passive enrollment procedure. Residents of nursing homes shall be voluntarily enrolled into the program only through the use of an active enrollment procedure.’”.

The amendment was adopted.

The same member then moved to amend it in section 10 (as published), in line 134, by striking out the words “and post-acute”; in section 21 (as published), in line 394, by striking out words “rates of institutional post-acute care”; and in section 23 (as published), in lines 407 and 408, by striking out the following: “or (iii) unwarranted institutional post-acute care;”. The amendments were adopted.

Mr. Galvin of Canton then moved to amend the bill in section 102 (as published), in lines 2368 to 2375, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(iv) the independent dispute resolution entity shall confirm or deny whether the amount applied is applied consistently with the formula set forth in section 28 of this chapter.”.

The amendment was adopted.

Ms. Hogan of Stow then moved to amend the bill in section 24 (as published), in line 439, by inserting after the figures: “111” the following: “; (xxi) hospice and palliative care services ”; and the amendment was adopted.

Mr. McMurtry of Dedham and other members of the House then moved to amend the bill in section 102 (as published), in line 2404, by inserting after the word “pharmacist”, in each instance, the words “or contracting agent”, and in lines 2415 and 2417, by inserting after the word “pharmacist”, in each instance, the words “or contracting agent”. The amendments were adopted.

Messrs. O’Day of West Boylston and Michlewitz of Boston then moved to amend the bill by adding the following eight sections:

“SECTION 130. Chapter 32A of the General Laws, as appearing in the 20XX Official Edition, is hereby amended by inserting after section 4A the following new section:—

Section 4B. (a) The commission or any entity with which the commission contracts to provide or manage health insurance benefits, including mental health services, shall not impose a retroactive claims denial, as defined in section 1 of chapter 175, for behavioral health services, as defined in section 1 of chapter 175, on a provider unless: (i) Less than twelve months have elapsed from the time of submission of the claim by the provider to the commission or other entity responsible for payment; (ii) The commission or other entity has furnished the provider with a written explanation of the reason for the retroactive claim denial, and a description of additional documentation or other corrective actions required for payment of the claim.

(b) Notwithstanding clauses (i) of paragraph (d), retroactive claim denials may be permitted after twelve months if: (i) The claim was submitted fraudulently; (ii) The claim payment is subject to adjustment due to expected payment from another payer and not more than 12 months have elapsed since submission of the claim; or (iii) The claims, or services for which the claim has been submitted, is the subject of

legal action; or (iv) The claim payment was incorrect because the provider or the insured was already paid for the health care services identified in the claim; or (v) The health care services identified in the claim were not delivered by the provider.

(c) In cases in which a retroactive claim denial is imposed under clause (ii) of paragraph (b), the commission or other entity shall notify a provider at least 15 days before imposing the retroactive claim denial and the provider shall have twelve months to determine whether the claim is subject to payment by a secondary insurer. Notwithstanding the contractual terms between the provider and insurer, an insurer shall allow for submission of a claim that was previously denied by another insurer due to the insured's transfer or termination of coverage.

(d) For the purposes of this subsection, provider shall mean a mental health clinic or substance use disorder program licensed by the department of public health under Chapters 18, 111, 111B, or 111E, a behavioral, substance use disorder, or mental health professional who is licensed under Chapter 112 of the General Laws and accredited or certified to provide services consistent with law and who has provided services under an express or implied contract or with the expectation of receiving payment, other than co-payment, deductible or co-insurance, directly or indirectly from the commission or other entity.

SECTION 131. Chapter 118E of the General Laws, as so appearing, is amended by inserting after section 38 the following new section:—

38A. (a) The division or any entity with which the division contracts to provide or manage health insurance benefits, including mental health services, shall not impose a retroactive claims denial, as defined in section 1 of chapter 175, for behavioral health services, as defined in section 1 of chapter 175, on a provider unless: (i) Less than twelve months have elapsed from the time of submission of the claim by the provider to the division or other entity responsible for payment; (ii) The division or other entity has furnished the provider with a written explanation of the reason for the retroactive claim denial, and a description of additional documentation or other corrective actions required for payment of the claim.

(b) Notwithstanding clauses (i) of paragraph (d), retroactive claim denials may be permitted after twelve months if: (i) The claim was submitted fraudulently; (ii) The claim payment is subject to adjustment due to expected payment from another payer and not more than 12 months have elapsed since submission of the claim; (iii) The claims, or services for which the claim has been submitted, is the subject of legal action; (iv) The claim payment was incorrect because the provider or the insured was already paid for the health care services identified in the claim; (v) The health care services identified in the claim were not delivered by the provider.

(c) In cases in which a retroactive claim denial is imposed under clause (ii) of paragraph (b), the division or other entity shall notify a provider at least 15 days before imposing the retroactive claim denial and the provider shall have twelve months to determine whether the claim is subject to payment by a secondary insurer. Notwithstanding the contractual terms between the provider and insurer, an insurer shall allow for submission of a claim that was previously denied by another insurer due to the insured's transfer or termination of coverage.

(d) For the purposes of this subsection, provider shall mean a mental health clinic or substance use disorder program licensed by the department of public health under Chapters 18, 111, 111B, or 111E, a behavioral, substance use disorder, or mental health professional who is licensed under Chapter 112 of the General Laws and accredited or certified to provide services consistent with law and who has provided services under an express or implied contract or with the expectation of receiving payment, other than co-payment, deductible or co-insurance, directly or

indirectly from the division or managed care entity.

SECTION 132. Section 1 of Chapter 175 of the General Laws, as so appearing, is amended by inserting before the definition of ‘Commissioner’ the following new definition:

‘Behavioral Health’, mental health and substance use disorder prevention, recovery and treatment services including but not limited to inpatient 24 hour levels of care, 24 hour and non 24 hour diversionary levels of care, intermediate levels of care and outpatient services

and by inserting after the definition of ‘Resident’ the following new definition:

‘Retroactive Claim Denial’, an action by a) an insurer, b) an entity with which the insurer subcontracts to manage behavioral health services, c) an entity with which the Group Insurance Commission has entered into an administrative services contract or a contract to manage behavioral health services, or d) the executive office of health and human services acting as the single state agency under section 1902(a)(5) of the Social Security Act authorized to administer programs under title XIX, to deny a previously paid claim for services and to require repayment of the claim, impose a reduction in other payments, or otherwise withhold or affect future payments owed a provider in order to recoup payment for the denied claim.

SECTION 133. Section 108 of chapter 175 of the General Laws, as so appearing, is hereby amended by adding the following new subsections at the end thereof:—

(a) No insurer shall impose a retroactive claims denial, as defined in section 1 of chapter 175, for behavioral health services, as defined in section 1 of chapter 175, on a provider unless: (i) Less than twelve months have elapsed from the time of submission of the claim by the provider to the insurer or other entity responsible for payment; (ii) The insurer or other entity has furnished the provider with a written explanation of the reason for the retroactive claim denial, and a description of additional documentation or other corrective actions required for payment of the claim.

(b) Notwithstanding clauses (i) of paragraph (d), retroactive claim denials may be permitted after twelve months if: (i) The claim was submitted fraudulently; (ii) The claim payment is subject to adjustment due to expected payment from another payer and not more than 12 months have elapsed since submission of the claim; or (iii) The claims, or services for which the claim has been submitted, is the subject of legal action; or (iv) the claim payment was incorrect because the provider or the insured was already paid for the health care services identified in the claim; or (v) the health care services identified in the claim were not delivered by the provider.

(c) In cases in which a retroactive claim denial is imposed under clause (ii) of paragraph (b), the insurer shall notify a provider at least 15 days before imposing the retroactive claim denial and the provider shall have twelve months to determine whether the claim is subject to payment by a secondary insurer. Notwithstanding the contractual terms between the provider and insurer, an insurer shall allow for submission of a claim that was previously denied by another insurer due to the insured’s transfer or termination of coverage.

(d) For the purposes of this subsection, provider shall mean a mental health clinic or substance use disorder program licensed by the department of public health under Chapters 18, 111, 111B, or 111E, a behavioral, substance use disorder, or mental health professional who is licensed under Chapter 112 of the General Laws and accredited or certified to provide services consistent with law and who has provided services under an express or implied contract or with the expectation of receiving payment, other than co-payment, deductible or co-insurance, directly or

indirectly from an insurer.

SECTION 134. Chapter 176A of the General Laws, as so appearing, is amended by inserting after section 8 the following new section:—

Section 8A (a) The corporation shall not impose a retroactive claims denial, as defined in section 1 of chapter 175, for behavioral health services, as defined in section 1 of chapter 175, on a provider unless: (i) Less than twelve months have elapsed from the time of submission of the claim by the provider to the corporation; (ii) The corporation has furnished the provider with a written explanation of the reason for the retroactive claim denial, and a description of additional documentation or other corrective actions required for payment of the claim.

(b) Notwithstanding clauses (i) of paragraph (d), retroactive claim denials may be permitted after twelve months if: (i) The claim was submitted fraudulently; (ii) The claim payment is subject to adjustment due to expected payment from another payer and not more than 12 months have elapsed since submission of the claim; or (iii) The claims, or services for which the claim has been submitted, is the subject of legal action; or (iv) The claim payment was incorrect because the provider or the insured was already paid for the health care services identified in the claim; or (v) the health care services identified in the claim were not delivered by the provider.

(c) In cases in which a retroactive claim denial is imposed under clause (ii) of paragraph (b), the corporation shall notify a provider at least 15 days before imposing the retroactive claim denial and the provider shall have twelve months to determine whether the claim is subject to payment by a secondary payer. Notwithstanding the contractual terms between the provider and secondary payer, the payer shall allow for submission of a claim that was previously denied by the corporation due to the insured's transfer or termination of coverage.

(d) For the purposes of this subsection, provider shall mean a mental health clinic or substance use disorder program licensed by the department of public health under Chapters 18, 111, 111B, or 111E, a behavioral, substance use disorder, or mental health professional who is licensed under Chapter 112 of the General Laws and accredited or certified to provide services consistent with law and who has provided services under an express or implied contract or with the expectation of receiving payment, other than co-payment, deductible or co-insurance, directly or indirectly from an insurer.

SECTION 135. Chapter 176B of the General Laws, as so appearing is hereby amended by inserting after section 7C the following new section:—

Section 7D (a) The corporation shall not impose a retroactive claims denial, as defined in section 1 of chapter 175, for behavioral health services, as defined in section 1 of chapter 175, on a provider unless: (i) Less than twelve months have elapsed from the time of submission of the claim by the provider to the corporation; (ii) The corporation has furnished the provider with a written explanation of the reason for the retroactive claim denial, and a description of additional documentation or other corrective actions required for payment of the claim.

(b) Notwithstanding clauses (i) of paragraph (d), retroactive claim denials may be permitted after twelve months if: (i) The claim was submitted fraudulently; (ii) The claim payment is subject to adjustment due to expected payment from another payer and not more than 12 months have elapsed since submission of the claim; or (iii) The claims, or services for which the claim has been submitted, is the subject of legal action; or (iv) The claim payment was incorrect because the provider or the insured was already paid for the health care services identified in the claim; or (v) the health care services identified in the claim were not delivered by the provider.

(c) In cases in which a retroactive claim denial is imposed under clause (ii) of

paragraph (b), the corporation shall notify a provider at least 15 days before imposing the retroactive claim denial and the provider shall have twelve months to determine whether the claim is subject to payment by a secondary payer. Notwithstanding the contractual terms between the provider and secondary payer, the payer shall allow for submission of a claim that was previously denied by the corporation due to the insured's transfer or termination of coverage.

(d) For the purposes of this subsection, provider shall mean a mental health clinic or substance use disorder program licensed by the department of public health under Chapters 18, 111, 111B, or 111E, a behavioral, substance use disorder, or mental health professional who is licensed under Chapter 112 of the General Laws and accredited or certified to provide services consistent with law and who has provided services under an express or implied contract or with the expectation of receiving payment, other than co-payment, deductible or co-insurance, directly or indirectly from an insurer.

SECTION 136. Chapter 176G of the General Laws, as so appearing, is hereby amended by inserting after section 6A the following new section:—

SECTION 6B. (a) No insurer shall impose a retroactive claims denial, as defined in section 1 of chapter 175, for behavioral health services, as defined in section 1 of chapter 175, on a provider unless: (i) Less than twelve months have elapsed from the time of submission of the claim by the provider to the insurer or other entity responsible for payment; (ii) The insurer or other entity has furnished the provider with a written explanation of the reason for the retroactive claim denial, and a description of additional documentation or other corrective actions required for payment of the claim.

(b) Notwithstanding clauses (i) of paragraph (d), retroactive claim denials may be permitted after twelve months if: (i) The claim was submitted fraudulently; (ii) The claim payment is subject to adjustment due to expected payment from another payer and not more than 12 months have elapsed since submission of the claim; or (iii) The claims, or services for which the claim has been submitted, is the subject of legal action; (iv) The claim payment was incorrect because the provider or the insured was already paid for the health care services identified in the claim; or (v) the health care services identified in the claim were not delivered by the provider.

(c) In cases in which a retroactive claim denial is imposed under clause (ii) of paragraph (b), the insurer shall notify a provider at least 15 days before imposing the retroactive claim denial and the provider shall have twelve months to determine whether the claim is subject to payment by a secondary insurer. Notwithstanding the contractual terms between the provider and insurer, an insurer shall allow for submission of a claim that was previously denied by another insurer due to the insured's transfer or termination of coverage.

(d) For the purposes of this subsection, provider shall mean a mental health clinic or substance use disorder program licensed by the department of public health under Chapters 18, 111, 111B, or 111E, a behavioral, substance use disorder, or mental health professional who is licensed under Chapter 112 of the General Laws and accredited or certified to provide services consistent with law and who has provided services under an express or implied contract or with the expectation of receiving payment, other than co-payment, deductible or co-insurance, directly or indirectly from an insurer.

SECTION 137. The Division of Medical Assistance is hereby authorized and directed to develop an internal process for the reconciliation of claims due to retroactive eligibility changes and/or duplicate enrollments in cases that involve multiple payers for services provided to MassHealth enrollees. This process shall

not require provider involvement. The division shall report to the senate and house committees on ways and means on this process no longer than five months after enactment of this legislation.”.

The amendment was adopted.

Ms. Atkins of Concord then moved to amend the bill by adding the following six sections:

“SECTION 138. Section 70E of chapter 111 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:—

As used in this section, the terms ‘Attending physician’, ‘Concurrent surgical procedure’, ‘Elective surgical procedure’, ‘Emergency surgical procedure’, and ‘Secondary emergency surgical procedure’ shall have the same meanings as defined in section 70i.

SECTION 139. Said section 70E of said chapter 111, as so appearing, is hereby further amended by striking out, in line 105, the word “and”.

SECTION 140. The fifth paragraph of said section 70E of said chapter 111, as so appearing, is hereby amended by striking out clause(o) and inserting in place thereof the following 2 clauses:—

(o) if the patient is a female rape victim of childbearing age, to receive medically and factually accurate written information prepared by the commissioner of public health about emergency contraception; to be promptly offered emergency contraception; and to be provided with emergency contraception upon request; and

(p) to refuse to undergo a concurrent surgical procedure, except in cases of an emergency surgical procedure.

SECTION 141. The sixth paragraph of said section 70E of said chapter 111, as so appearing, is hereby amended by striking out clause (h) and inserting in place thereof the following 3 clauses:—

(h) in the case of a patient suffering from any form of breast cancer, to complete information on all alternative treatments which are medically viable;

(i) in the case of a patient scheduled for an elective concurrent surgical procedure, to written notice and informed consent of such concurrent scheduling, and a detailed account of the attending physician’s participation in the surgical procedure, at least 14 days prior to the surgical procedure pursuant to section 70i; and

(j) in the case of a patient scheduled for a secondary emergency concurrent surgical procedure, to written notice and informed consent of such concurrent scheduling, and a detailed account of the attending physician’s participation in the surgical procedure, at least 48 hours prior to the surgical procedure pursuant to section 70i.

SECTION 142. Said chapter 111 is hereby further amended by inserting after section 70H the following section:—

Section 70I. (a) As used in this section, the following words shall have the following meanings:

‘Attending physician’, the physician licensed under sections 2 through 9B of chapter 112, who has been credentialed by the facility to independently perform the patient’s procedure and to supervise physician trainees or physician extenders.

‘Concurrent surgical procedure’, any surgical procedure during which the attending physician is scheduled to leave the operating room at any point between incision and skin closure of the procedure to participate in the performance or supervision of a different surgical procedure on a different patient in a different operating room, where critical portions of the operations are performed

concurrently.

‘Elective surgical procedure’, a surgical procedure that is scheduled at least 14 days in advance, that is not urgent in nature and is not an emergency procedure.

‘Emergency surgical procedure’, an urgent surgical procedure that must be performed immediately upon the patient’s arrival at the facility, and is not scheduled in advance.

‘Facility’, any hospital, institution for the care of unwed mothers, clinic, infirmary maintained in a town, convalescent or nursing home, rest home, or charitable home for the aged, licensed or subject to licensing by the department; any state hospital operated by the department; any ‘facility’ as defined in section 3 of chapter 111B; any private, county or municipal facility, department or ward which is licensed or subject to licensing by the department of mental health pursuant to section 19 of chapter 19; or by the department of developmental services pursuant to section 15 of chapter 19B; any ‘facility’ as defined in section 1 of chapter 123; the Soldiers Home in Holyoke, the Soldiers’ Home in Massachusetts; and any facility set forth in section 1 of chapter 19 or section 1 of chapter 19B.

‘Overlapping surgical procedure’, a surgical procedure during which the attending physician is scheduled to leave the operating room at any point between incision and skin closure of the procedure to participate in the performance or supervision of a different surgical procedure on a different patient in a different operating room at the same time, where critical portions of the operations are not performed concurrently.

‘Physician’, a person licensed to practice medicine under sections 2 through 9B of chapter 112.

‘Physician Extender’, a person who is participating in the patient’s procedure who is under the direct supervision of the attending physician. A physician extender may be a resident, a fellow, a physician assistant, an advanced practice registered nurse or other person authorized by the facility to participate in the procedure, and who is directly supervised by the attending physician.

‘Secondary emergency surgical procedure’, a surgical procedure that is scheduled at least 48 hours in advance, but is still more urgent in nature than an elective surgical procedure.

‘Staggered surgical procedure’, a surgical procedure during which the attending physician performs different surgical procedures on different patients in different operating rooms, one procedure directly after another, where no portions of the operations are performed concurrently.

(b) At least 14 days before the attending physician operates on a patient scheduled for an elective concurrent surgical procedure, and at least 48 hours before the attending physician operates on a patient scheduled for a secondary emergency concurrent surgical procedure, the attending physician shall inform the patient, in writing, of the concurrent scheduling and the involvement of the attending physician in the patient’s procedure, and shall obtain written informed consent from the patient prior to performing such procedure; provided, that the attending physician shall provide to the patient, in writing, a detailed description of what specific steps of the surgery said physician will and will not be performing, including, but not limited to critical surgical steps. The department shall develop a standardized written summary and consent form for use in obtaining informed consent for concurrent surgical procedures. This summary and consent form shall be written in a manner designed to permit a person unfamiliar with medical terminology to understand its purpose and content and shall inform the patient that they are scheduled to undergo a concurrent surgical procedure. The department shall update

the form as necessary, and distribute such forms to each facility in the commonwealth in which the department knows or has reason to know concurrent surgical procedures are performed.

(c) The attending physician shall include in the patient's medical record written documentation of the attending physician's presence or absence during the surgical procedure. If the attending physician was absent for any part of the surgical procedure, the medical record shall accurately reflect the time of the absence or absences and who was the attending physician during the absence, if any.

(d) Any facility that performs concurrent surgical procedures shall publish, on their website, notice that said facility performs concurrent surgical procedures, and shall publish such notice on the individual webpages of each physician who performs concurrent surgeries at said facility.

SECTION 143. The department of public health shall promulgate rules and regulations necessary to implement sections 138 through 142, inclusive.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 49 members voted in the affirmative and 100 in the negative.

[See Ye and Nay No. 374 in Supplement.]

Therefore the amendment was rejected.

Ms. Barber of Somerville and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 138. Chapter 176O of the General Laws is hereby amended by inserting after section 27 the following sections:—

Section 28. (a) A carrier shall ensure the accuracy of the information concerning each provider listed in the carrier's provider directories for each network plan and shall review and update the entire provider directory for each network plan. In making the directory available electronically in a searchable format, the carrier shall ensure that the general public is able to view all of the current health care providers for a network plan through a clearly identifiable link or tab and without creating or accessing an account, entering a policy or contract number, providing other identifying information, or demonstrating coverage or an interest in obtaining coverage with the network plan. Thereafter, the carrier shall update each online network plan provider directory at least monthly, or more frequently, if required by state or federal law or regulations promulgated by the commissioner pursuant to Section 29(j), when informed of and upon confirmation by the plan of any of the following:

(1) A contracting provider is no longer accepting new patients for that network plan, or an individual provider within a provider group is no longer accepting new patients.

(2) A provider or provider group is no longer under contract for a particular network plan.

(3) A provider's practice location or other information required under this section has changed.

(4) Upon completion of the investigation described in paragraph (a)(4), a change is necessary based on an enrollee complaint that a provider was not accepting new patients, was otherwise not available, or whose contact information was listed incorrectly.

(5) A provider has retired or otherwise has ceased to practice.

(6) Any other information that affects the content or accuracy of the provider directory or directories.

(b) A provider directory shall not list or include information on a provider that

Amendment
rejected,—
yea and nay
No. 374.

is not currently under contract with the network plan.

(c) A carrier shall periodically audit its provider directories for accuracy and retain documentation of such an audit to be made available to the commissioner upon request.

(d) A carrier shall provide a print copy, or a print copy of the requested directory information, of a current provider directory upon request of an insured or a prospective insured. The printed copy of the provider directory or directories shall be provided to the requester by mail postmarked no later than five business days following the date of the request and may be limited to the geographic region in which the requester resides or works or intends to reside or work.

(e) The carrier shall include in both its electronic and print directories a dedicated customer service email address and telephone number or electronic link that insureds, providers and the general public may use to notify the carrier of inaccurate provider directory information. This information shall be disclosed prominently in the directory or directories and on the carrier's web site. The carrier shall be required to investigate reports of inaccuracies within 30 days of notice and modify the directories in accordance with any findings within 30 days of such findings.

(f) The provider directory or directories shall inform enrollees and potential enrollees that they are entitled to: (A) language interpreter services, at no cost to the enrollee; and (B) full and equal access to covered services as required under the federal Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. A provider directory, whether in electronic or print format, shall accommodate the communication needs of individuals with disabilities, and include a link to or information regarding available assistance for persons with limited English proficiency, including how to obtain interpretation and translation services.

(g) The carrier shall include a disclosure in the print directory that the information included in the directory is accurate as of the date of printing and that insureds or prospective insureds should consult the carrier's electronic provider directory on its website or call a specified customer service telephone number to obtain the most current provider directory information.

(h) The carrier shall update its printed provider directory or directories at least annually, or more frequently, if required by federal law or regulations promulgated by the commissioner.

Section 29. (a) The division shall establish a task force to develop recommendations to ensure the current and accurate electronic posting of carrier provider directories in a searchable format for each of the carriers' network plans available for viewing by the general public.

(b) The task force shall consist of the commissioner of insurance or a designee, who shall serve as chair, and 12 members: one of whom shall be a representative of the Massachusetts Association of Health Plans, one of whom shall be a representative of Blue Cross Blue Shield MA, one of whom shall be a representative of the Massachusetts Health and Hospital Association, one of whom shall be a representative of the Massachusetts Medical Society, one of whom shall be a representative of Healthcare Administrative Solutions, Inc., one of whom shall be a representative of the Children's Mental Health Campaign, one of whom shall be a representative of the Massachusetts Association for Mental Health, and five members chosen by the commissioner: one of whom shall have expertise in the treatment of individuals with substance use disorder, , one of whom shall have expertise in the treatment of individuals with a mental illness, one of whom shall be

from a health consumer advocacy organization, one of whom shall be a consumer representative, and one of whom shall be a representative from an employer group. The task force shall have the ability to form workgroups to develop the recommendations defined in subsection (a).

(c) The recommendations shall include measures for ensuring the accuracy of information concerning each provider listed in the carrier's provider directories for each network plan. The task force shall develop recommendations that establish substantially similar processes and time frames for health care providers included in a carrier's network to provide information to the carrier, and substantially similar processes and timeframes for carriers to include such information in their provider directories, regarding the following:

(1) when a contracting provider is no longer accepting new patients for that network plan and when a contracting provider is resuming acceptance of new patients, or an individual provider within a provider group is no longer accepting new patients and when an individual provider within a provider group is resuming acceptance of new patients;

(2) when a provider who is not accepting new patients is contacted by an enrollee or potential enrollee seeking to become a new patient, the provider may direct the enrollee or potential enrollee to the carrier for additional assistance in finding a provider and shall inform the carrier immediately if they have not done so already that the provider is not accepting new patients;

(3) when a provider is no longer under contract for a particular network plan;

(4) when a provider's practice location or other information required under this section has changed;

(5) for health care professionals: (i) name; (ii) contact information; (iii) gender; (iv) participating office location(s); (v) specialty, if applicable; (vi) clinical and developmental areas of expertise; (vii) populations of interest; (viii) licensure and board certification(s); (ix) medical group affiliations, if applicable; (x) facility affiliations, if applicable; (xi) participating facility affiliations, if applicable; (xii) languages spoken other than English, if applicable; (xiii) whether accepting new patients; and (xiv) information on access for people with disabilities, including but not limited to structural accessibility and presence of accessible examination and diagnostic equipment;

(6) for hospitals: (i) hospital name; (ii) hospital type; (iii) participating hospital location and telephone number; (iv) hospital accreditation status; (7) for facilities, other than hospitals, by type: (i) facility name; (ii) facility type; (iii) types of services performed; (iv) participating facility location(s) and telephone number; and

(7) Any other information that affects the content or accuracy of the provider directory or directories.

(d) The task force shall develop recommendations for carriers to include information in the provider directory that identifies the tier level for each specific provider, hospital or other type of facility in the network, when applicable.

(e) The task force shall develop recommendations for carriers to include in the provider directories substantially similar language to assist insureds with understanding and searching for behavioral health specialty providers.

(f) The task force shall consider the feasibility of carriers making updates to each online network plan provider directory in real time when health care providers included in a carrier's network provide information to the carrier pursuant to subsection (c).

(g) The task force shall consider measures to address circumstances when an insured reasonably relies upon materially inaccurate information contained in a

carrier's provider directory.

(h) The task force shall develop recommendations for measures carriers shall take to ensure the accuracy of the information concerning each provider listed in the carrier's provider directories for each network plan based on the information provided to the carriers by network providers, as described in paragraph (c), including but not limited to periodic testing to ensure that the public interface of the directories accurately reflects the provider network, as required by state and federal laws and regulations.

(i) The task force shall recommend appropriate timelines for completion of its recommendations.

(j) The commissioner shall file the task force's recommendations, including any proposed regulations, with the joint committee on health care financing not later than November 15, 2018.

(k) The commissioner shall promulgate regulations pursuant to section 28 and the recommendations of the task force no later than three months following the commissioner's filing under subsection (j).

(l) The commissioner shall conduct quarterly implementation progress reports, which shall be available to the public, commencing on January 1, 2019 and continuing until the task force recommendations under subsection (j) are fully implemented.

SECTION 139. Carriers shall ensure the accuracy of the information pursuant to the regulations issued by the commissioner of insurance pursuant to section 29 of chapter 176O of the general laws for each network plan no later than January 1, 2020."

The amendment was adopted.

Ms. Barber and other members of the House then moved to amend the bill by adding the following three sections:

"SECTION 140. Subdivision (P) of section 110 of chapter 175 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word 'age', in line 463, the following words:— or without regard to age, so long as the dependent, who is covered under the membership of his parent as a member of a family group, is mentally or physically incapable of earning their own living due to disability.

SECTION 141. Section 4T of chapter 176G of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word 'age', in line 6, the following words:— or without regard to age, so long as the dependent, who is covered under the membership of his parent as a member of a family group, is mentally or physically incapable of earning their own living due to disability.

SECTION 142. Section 1 of chapter 176J of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word 'age', in line 86, the following words:— or without regard to age, so long as the dependent, who is covered under the membership of his parent as a member of a family group is mentally or physically incapable of earning their own living due to disability."

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 1, in lines 42 and 43, by striking out the words "submitted by" and inserting in place thereof the following: "within 90 days of receiving the written report from the center for health information and analysis." The amendment was adopted.

Mr. Livingstone of Boston then moved to amend the bill in section 78 (as published), in line 1773, in section 80 (as published), in line 1885, in section 83 (as

published), in line 1932, and in section 87 (as published), in line 2060, by inserting after the word “quality”, in each instance, the words “and research”; and in section 78 (as published), in line 1775, in section 80 (as published), in line 1856, in section 83 (as published), in line 1933, and in section 87 (as published), in line 2062, by striking out the words “, and research”, in each instance.

The amendments were adopted.

Mr. Cahill of Lynn then moved to amend the bill by adding the following four sections:

“SECTION 143. Section 15 of chapter 6D is hereby amended by inserting in subsection (f) in the first line after the phrase ‘which providers of’ the following:— health care services as defined within subsection (c)(3) and

SECTION 144. Section 15 of chapter 6D is hereby amended by striking in subsection (f) in the second paragraph after the phrase ‘approval by an ACO’ the following:— as a provider of free standing ancillary services for ACO patients.

SECTION 145. Section 15 of chapter 6D is hereby amended by inserting the following subsection:—

(h) The commission shall annually review each certified ACO’s published standards as required pursuant to subsection (f) and shall report its findings, including any recommendations. Such review shall include, but not be limited to, if such standards ensure consideration and participation by providers of health care services and free-standing ancillary services as defined within this section sufficient to ensure the goals of subsection (c), including ensuring maximized value to patients as expressed in a reduction in price and health status adjusted total medical expenses and an increase in quality. Such findings shall be used by the commission in the examination and cross examination of witnesses at the annual cost trend hearings pursuant to Section 8 of chapter 6D. The commission shall bi-annually amend the commission’s minimum standards pursuant to subsection (b) in order to ensure processes by which participants and out-of-ACO arrangements are selected and structured, including through joint venture arrangements, by certified ACOs such that said goals are sufficiently advanced.

SECTION 146. Notwithstanding any other general or special law to the contrary, the health policy commission shall promulgate by March 1, 2019 regulations to establish an aggrieved provider review process pursuant to subsection (f) of Section 15 of chapter 6D.”. The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 1, in line 18, by striking out the following: “proposal. The center shall review and evaluate the scope of practice”.

The amendment was adopted.

Ms. Tyler of Boston and other members of the House then moved to amend the bill by adding the following section:

“SECTION 147. To require the executive office of health and human services to submit a report to the House Committee on Ways and Means detailing: (i) the outcomes achieved by accountable care organizations and community partners including, but not limited to, financial performance, patient satisfaction and quality and aggregate and per-member reductions in spending compared to prior cost trends; (ii) the results of benchmarks on accountable care organizations’ and community partners’ progress toward an integrated care delivery system; and (iii) a summary of spending and activities related to traditionally non-reimbursed services to address health-related social needs including, but not limited to, housing stabilization and support, utility assistance, nonmedical transportation, physical activity, nutrition and sexual assault and domestic violence supports; provided

further, that such summary shall include, to the maximum extent practicable, aggregated data on the results of health-related social needs screening, the number of referrals to human service providers to address such screening, the result of such referrals and changes in health status; provided further, that such data shall be stratified by demographic factors to support an analysis of the impact on health disparities; provided further, that where data is not available, a report on progress toward establishing necessary data systems shall be provided.”.

The amendment was adopted.

The same member then moved to amend the bill by inserting after section 52 (as published) the following section:

“SECTION 55A. Said section 6D of said chapter 40J, as so appearing, is hereby further amended by striking out subsection (f) and inserting in place thereof the following subsection:—

(f) The institute shall identify companies and organizations that are engaged in the development of emerging new technologies associated with health information technology, including, (i) web-based and personalized care delivery or (ii) the incorporation of data on social determinants of health into digital health technology, which may include integrating individual-level determinants, community-level determinants, or both, into diverse workflows. The institute shall promote the growth and development of such companies and organizations by supporting the formation of regional health information technology clusters, coordinating the promotion and dissemination of information regarding such companies and organizations, identifying and addressing obstacles to the growth of such companies and organizations and helping to identify alternative funding sources for such companies and organizations for the implementation of their business and marketing plans.”.

The amendment was adopted.

Mr. Petrolati of Ludlow being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 1, in lines 8 to 12, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(b) Joint committees of the general court and the house and senate committees on ways and means shall refer to the clerk of the house and senate any bills containing a scope of practice proposal originally referred to the committee, who shall require a review and evaluation from the center for health information and analysis and recommendations from the health policy commission be provided to the general court pursuant to this section.”; and

In line 16 by inserting after the word “request.” the following sentence: “Said review and evaluation shall be filed with the clerks of the house and senate, who shall transmit a copy upon receipt of the review and evaluation to the members of the general court.”.

The amendments were adopted.

Ms. Garlick of Needham then moved to amend the bill in section 40 (as published), in line 750, by inserting after the word “terms” the words “, and shall meet the core criteria set by the Quality Measurement Alignment Task Force”; and the amendment was adopted.

Mr. Nangle of Lowell then moved to amend the bill in section 103 (as published), in line 2425, by striking out the figures: “120,000,000” and inserting in place thereof the figures: “90,000,000”, in line 2445, by striking out the figures: “\$330,000,000” and inserting in place thereof the following: “up to \$247,500,000”; and by adding at the end thereof the following paragraph:

“(n) The commission shall not subject any surcharge payor to a performance improvement plan before the division of insurance and the health policy commission that fails to meet cost growth benchmarks as a direct result of being in accordance of any provisions of subsection (d).”;

By inserting after section 119 (as published) the following section:

“SECTION 120A: Subsection (n) of section 103 is hereby repealed.”; and

By adding the following section:

“SECTION 148: Section 1119A shall take effect on September 30, 2019.”.

The amendments were adopted.

Mr. Lawn of Watertown then moved to amend the bill by inserting after section 48 (as published) the following section:

“SECTION 51A. Chapter 32A of the General Laws, as amended by section 1 of chapter 233 of the acts of 2016, is hereby amended by inserting, after section 17O, the following section:—

Section 17P. Any coverage offered by the commission to an active or retired employee of the commonwealth insured under the group insurance commission shall provide coverage for genetically targeted drugs for Duchenne muscular dystrophy when (1) the drug has been prescribed for an FDA-approved use, including pursuant to the accelerated approval provisions of section 506(c) of the Federal Food, Drug, and Cosmetic Act, and as such shall not be considered experimental, investigational or unproven; and (2) the drug has been ordered or prescribed consistent with the drug’s FDA labeling and determined to be medically necessary by a licensed physician who has thoroughly evaluated the patient and either possesses expertise in Duchenne muscular dystrophy or has consulted with an expert, identified by the prescribing physician, in Duchenne muscular dystrophy who has determined the drug to be medically necessary for the patient. The prescribed drugs in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other prescribed drug provided by the commission. For purposes of this section the term ‘genetically targeted drug’ shall mean a drug for which the approved use may result in the modulation, including suppression, up-regulation, or activation, of the function of a gene or its associated gene product and incorporates or utilizes non-replicating nucleic acid or analogous compounds to treat one or more patient subgroups, including subgroups of patients with different mutations of a gene.

This section shall not apply if: (1) the price of the drug increases by a percentage greater than the corresponding percentage increase in the Consumer Price Index Urban for the 2 year period beginning on the later of (1) the date this section becomes effective or (2) the date of the drug’s approval by the FDA; provided, that for the purposes of this section, ‘price of the drug’ shall mean the ‘wholesale acquisition cost’ as defined in section 1847A(c)(6)(B) of the Federal Social Security Act; or (2) the manufacturer does not comply with state laws of the Commonwealth, including, but not limited to, transparency requirements related to drug pricing, if any.”;

By inserting after section 69 (as published) the following section:

“SECTION 72A. Chapter 118E of the General Laws, as amended by section 2 of chapter 233 of the acts of 2016, is hereby amended by inserting, after section 10J, the following section:—

Section 10K. The division shall provide coverage for genetically targeted drugs for Duchenne muscular dystrophy when (1) the drug has been prescribed for an FDA-approved use, including pursuant to the accelerated approval provisions of section 506(c) of the Federal Food, Drug, and Cosmetic Act, and as such shall not

be considered experimental, investigational or unproven; and (2) the drug has been ordered or prescribed consistent with the drug's FDA labeling and determined to be medically necessary by a licensed physician who has thoroughly evaluated the patient and either possesses expertise in Duchenne muscular dystrophy or has consulted with an expert, identified by the prescribing physician, in Duchenne muscular dystrophy who has determined the drug to be medically necessary using the division's criteria, which shall comply with the obligations under Section 1927 of the Social Security Act, for the patient. The prescribed drugs in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other prescribed drugs provided by the division. For purposes of this section the term 'genetically targeted drug' shall mean a drug for which the approved use may result in the modulation, including suppression, up-regulation, or activation, of the function of a gene or its associated gene product and incorporates or utilizes non-replicating nucleic acid or analogous compounds to treat one or more patient subgroups, including subgroups of patients with different mutations of a gene.

This section shall not apply if: (1) the price of the drug increases by a percentage greater than the corresponding percentage increase in the Consumer Price Index Urban for the 2 year period beginning on the later of (1) the date this section becomes effective or (2) the date of the drug's approval by the FDA; provided, that for the purposes of this section, 'price of the drug' shall mean the 'wholesale acquisition cost' as defined in section 1847A(c)(6)(B) of the Federal Social Security Act; or (2) the manufacturer does not comply with state laws of the Commonwealth, including, but not limited to, transparency requirements related to drug pricing, if any.';

By inserting after section 76 (as published) the following section:

"SECTION 79A. Chapter 175 of the General Laws, as amended by section 3 of chapter 233 of the acts of 2016, is hereby amended by inserting the following section:—

Section 47KK. Any individual policy of accident or sickness insurance issued pursuant to this chapter shall provide coverage for genetically targeted drugs for Duchenne muscular dystrophy when (1) the drug has been prescribed for an FDA-approved use, including pursuant to the accelerated approval provisions of section 506(c) of the Federal Food, Drug, and Cosmetic Act, and as such shall not be considered experimental, investigational or unproven; and (2) the drug has been ordered or prescribed consistent with the drug's FDA labeling and determined to be medically necessary by a licensed physician who has thoroughly evaluated the patient and either possesses expertise in Duchenne muscular dystrophy or has consulted with an expert, identified by the prescribing physician, in Duchenne muscular dystrophy who has determined the drug to be medically necessary for the patient. The prescribed drugs in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other prescribed drug provided by the commission. For purposes of this section the term 'genetically targeted drug' shall mean a drug for which the approved use may result in the modulation, including suppression, up-regulation, or activation, of the function of a gene or its associated gene product and incorporates or utilizes non-replicating nucleic acid or analogous compounds to treat one or more patient subgroups, including subgroups of patients with different mutations of a gene.

This section shall not apply if: (1) the price of the drug increases by a percentage greater than the corresponding percentage increase in the Consumer Price Index Urban for the 2 year period beginning on the later of (1) the date this

section becomes effective or (2) the date of the drug’s approval by the FDA; provided, that for the purposes of this section, ‘price of the drug’ shall mean the ‘wholesale acquisition cost’ as defined in section 1847A(c)(6)(B) of the Federal Social Security Act; or (2) the manufacturer does not comply with state laws of the Commonwealth, including, but not limited to, transparency requirements related to drug pricing, if any.”;

By inserting after section 78 (as published) the following section:

“SECTION 81A. Chapter 176A of the General Laws, as amended by section 4 of chapter 233 of the acts of 2016, is hereby amended by inserting, after section 8KK, the following section:—

Section 8LL. A contract between a subscriber and the corporation under an individual group or hospital service plan which is delivered, issued or renewed within the commonwealth shall provide coverage for genetically targeted drugs for Duchenne muscular dystrophy when (1) the drug has been prescribed for an FDA-approved use, including pursuant to the accelerated approval provisions of section 506(c) of the Federal Food, Drug, and Cosmetic Act, and as such shall not be considered experimental, investigational or unproven; and (2) the drug has been ordered or prescribed consistent with the drug’s FDA labeling and determined to be medically necessary by a licensed physician who has thoroughly evaluated the patient and either possesses expertise in Duchenne muscular dystrophy or has consulted with an expert, identified by the prescribing physician, in Duchenne muscular dystrophy who has determined the drug to be medically necessary for the patient. The prescribed drugs in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other prescribed drug provided by the commission. For purposes of this section the term ‘genetically targeted drug’ shall mean a drug for which the approved use may result in the modulation, including suppression, up-regulation, or activation, of the function of a gene or its associated gene product and incorporates or utilizes non-replicating nucleic acid or analogous compounds to treat one or more patient subgroups, including subgroups of patients with different mutations of a gene.

This section shall not apply if: (1) the price of the drug increases by a percentage greater than the corresponding percentage increase in the Consumer Price Index Urban for the 2 year period beginning on the later of (1) the date this section becomes effective or (2) the date of the drug’s approval by the FDA; provided, that for the purposes of this section, ‘price of the drug’ shall mean the ‘wholesale acquisition cost’ as defined in section 1847A(c)(6)(B) of the Federal Social Security Act; or (2) the manufacturer does not comply with state laws of the Commonwealth, including, but not limited to, transparency requirements related to drug pricing, if any.”;

By inserting after section 80 (as published) the following section:

“SECTION 83A. Chapter 176B of the General Laws, as amended by section 5 of chapter 233 of the acts of 2016, is hereby amended by inserting, after section 4KK, the following section:—

Section 4LL. Any subscription certificate under an individual or group medical service agreement delivered, issued or renewed within the commonwealth shall provide coverage for genetically targeted drugs for Duchenne muscular dystrophy when (1) the drug has been prescribed for an FDA-approved use, including pursuant to the accelerated approval provisions of section 506(c) of the Federal Food, Drug, and Cosmetic Act, and as such shall not be considered experimental, investigational or unproven; and (2) the drug has been ordered or prescribed consistent with the drug’s FDA labeling and determined to be medically necessary by a licensed

physician who has thoroughly evaluated the patient and either possesses expertise in Duchenne muscular dystrophy or has consulted with an expert, identified by the prescribing physician, in Duchenne muscular dystrophy who has determined the drug to be medically necessary for the patient. The prescribed drugs in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other prescribed drug provided by the commission. For purposes of this section the term ‘genetically targeted drug’ shall mean a drug for which the approved use may result in the modulation, including suppression, up-regulation, or activation, of the function of a gene or its associated gene product and incorporates or utilizes non-replicating nucleic acid or analogous compounds to treat one or more patient subgroups, including subgroups of patients with different mutations of a gene.

This section shall not apply if: (1) the price of the drug increases by a percentage greater than the corresponding percentage increase in the Consumer Price Index Urban for the 2 year period beginning on the later of (1) the date this section becomes effective or (2) the date of the drug’s approval by the FDA; provided, that for the purposes of this section, ‘price of the drug’ shall mean the ‘wholesale acquisition cost’ as defined in section 1847A(c)(6)(B) of the Federal Social Security Act; or (2) the manufacturer does not comply with state laws of the Commonwealth, including, but not limited to, transparency requirements related to drug pricing, if any.”; and

By inserting after section 81 (as published) the following section:

“SECTION 84A. Chapter 176G of the General Laws, as amended by section 6 of chapter 233 of the acts of 2016, is hereby amended by inserting, after section 4CC, the following section:—

Section 4DD. Any individual or group health maintenance contract shall provide coverage for genetically targeted drugs for Duchenne muscular dystrophy when (1) the drug has been prescribed for an FDA-approved use, including pursuant to the accelerated approval provisions of section 506(c) of the Federal Food, Drug, and Cosmetic Act, and as such shall not be considered experimental, investigational or unproven; and (2) the drug has been ordered or prescribed consistent with the drug’s FDA labeling and determined to be medically necessary by a licensed physician who has thoroughly evaluated the patient and either possesses expertise in Duchenne muscular dystrophy or has consulted with an expert, identified by the prescribing physician, in Duchenne muscular dystrophy who has determined the drug to be medically necessary for the patient. The prescribed drugs in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other prescribed drug provided by the commission. For purposes of this section the term ‘genetically targeted drug’ shall mean a drug for which the approved use may result in the modulation, including suppression, up-regulation, or activation, of the function of a gene or its associated gene product and incorporates or utilizes non-replicating nucleic acid or analogous compounds to treat one or more patient subgroups, including subgroups of patients with different mutations of a gene.

This section shall not apply if: (1) the price of the drug increases by a percentage greater than the corresponding percentage increase in the Consumer Price Index Urban for the 2 year period beginning on the later of (1) the date this section becomes effective or (2) the date of the drug’s approval by the FDA; provided, that for the purposes of this section, ‘price of the drug’ shall mean the ‘wholesale acquisition cost’ as defined in section 1847A(c)(6)(B) of the Federal Social Security Act; or (2) the manufacturer does not comply with state laws of the

Commonwealth, including, but not limited to, transparency requirements related to drug pricing, if any.”.

The amendments were adopted.

Mr. Cassidy of Brockton then moved to amend the bill in section 102 (as published), in line 2315, the first time it appears, and also in line 2322, by inserting after the word “service”, the words “performed by a health care provider in the same or similar specialty and provided in Massachusetts, as determined by the commissioner of the division of insurance, and in consultation with the center for health information and analysis”.

In line 2316 by inserting after the word “provider.” the following sentence: “The commissioner of the division of insurance shall indicate the types of claims to be excluded from the ‘average rate’ calculation in this section, including the exclusion of public payer claims, and by excluding other claims which do not accurately reflect the valuation of provider services for commercial carrier plans.”; and

In line 2323 by striking out the word “services.” and inserting in place thereof the word “provider. The commissioner of the division of insurance shall indicate the types of claims to be excluded from the ‘average rate’ calculation in this section, including the exclusion of public payer claims, and by excluding other claims which do not accurately reflect the valuation of provider services for commercial carrier plans”.

The amendments were adopted.

The same member then moved to amend the bill in section 65 (as published), in line 1431, by inserting after the word “services” the following: “when said services are scheduled at least 24 hours in advance of the rendering of care,”; and

In lines 1494 to 1505, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following:

“(d) Upon initial encounter with a patient at the time of scheduling an admission, procedure or service for an insured patient or prospective patient, an out-of-network provider shall, in addition to the actions required pursuant to subsection (b) and at least 24 hours in advance of care, when said care is scheduled at least 24 hours in advance of rendering the services: (i) disclose to the insured that the provider does not participate in the insured’s health benefit plan network; (ii) provide the insured with the estimated or maximum charge that the provider will bill the insured for the admission, procedure or service if rendered as an out-of-network service, including the amount of any facility fees; (iii) inform the patient or prospective patient that additional information on applicable out-of-pocket costs for out-of-network services may be obtained through the toll-free number and website of the insurance carrier available pursuant to section 23 of chapter 176O; and (iv) obtain the prior written consent of such patient or prospective patient in advance of the out-of-network provider rendering health care services. This subsection shall not apply in cases of emergency services provided to a patient.”.

The amendments were adopted.

Mr. Cassidy then moved to amend the bill in section 65 (as published), in lines 1506 and 1507, and also in section 102, in lines 2346 to 2349, inclusive, by striking out the paragraphs contained in those lines; and the amendments were adopted.

Mr. Fernandes of Falmouth then moved to amend the bill in section 11 (as published), in line 216, by inserting after the word “gender” the following: “, gender identity and expression”; and

In section 44 (as published), in lines 925 to 942, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following

paragraph:

“Section 25. (a) The center, in consultation with the prevention and wellness advisory board established in section 7B of chapter 6D, shall annually, on or before December 1, issue a data report on progress toward meeting stated goals of the grant program authorized in section 7A of chapter 6D. The center shall issue an evaluation report at an interval to be determined by the board, but not less than every 5 years from the beginning of each grant period. The report shall include an analysis of all relevant data to determine the effectiveness of the program including, but not limited to, an analysis of: (i) the extent to which the program impacted the prevalence, severity or control of preventable health conditions and the extent to which the program is projected to impact such factors in the future; (ii) the extent to which the program reduced health care costs or the growth in health care cost trends and the extent to which the program is projected to reduce such costs in the future; (iii) whether health care costs were reduced and who benefited from the reduction; (iv) the extent that health outcomes or health behaviors were positively impacted; (v) the extent that access to evidence-based community services was increased; (vi) the extent that social determinants of health or other community wide risk factors for poor health were reduced or mitigated; (vii) the extent that grantees increased their ability to collaborate, share data and align services with other providers and community-based organizations for greater impact; (viii) the extent to which health disparities experienced by populations based on including but not limited to race, ethnicity, gender identity and expression, disability status, sexual orientation or socio-economic status were reduced across all metrics; and (ix) recommendations for whether the program should be discontinued, amended or expanded and a timetable for implementation of the recommendations.”.

The amendments were adopted.

Mr. Madaro of Boston then moved to amend the bill in section 47 (as published), in line 1038, by striking out the words “as defined” and inserting in place thereof the words “receiving a grant”; and the amendment was adopted.

Mr. Donato of Medford being in the Chair,—

Mr. Diehl of Whitman and other members of the House then move to amend the bill by adding the following section:

“SECTION 149. Section 6 of chapter 64H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:—

(yy) Sales of nonprescription drugs or medicines available for purchase for use in or on the body, including: vitamin or mineral concentrates; dietary supplements; natural or herbal drugs or medicines; products intended to be taken for coughs, cold, asthma or allergies or antihistamines; laxatives; antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral and antifungal medicines; antiseptics; astringents; anesthetics; steroidal medicines; anthelmintics; emetics and antiemetics; antacids; and any medication prepared to be used in the eyes, ears or nose; provided, however, that nonprescription drugs or medicines shall not include cosmetics, dentifrices, mouthwash, shaving and hair care products, soaps or deodorants.”.

After remarks the amendment was rejected.

Mr. Murphy of Weymouth then moved to amend the bill in section 63 (as published), in line 1312, by inserting after the word “entity” the following: “that is not corporately affiliated with a hospital licensed under section 51”; and the amendment was adopted.

Representatives O’Connell of Taunton, Diehl of Whitman and Lyons of Andover then moved to amend the bill by adding the following section:

“SECTION 149. The executive office of health and human services and the

office of Medicaid shall coordinate and develop an application for a waiver and demonstration project request for submission to the federal Centers for Medicare and Medicaid Services pursuant to section 1115 of the Social Security Act by January 1, 2020.”

The amendment was rejected.

Mr. Cusack of Braintree and other members of the House then moved to amend the bill in section 63 (as published), in line 1352, by inserting at the end thereof the following six paragraphs:

“Section 51N. The department shall designate a hospital as an acute stroke ready hospital, a primary stroke center or a comprehensive stroke center if: (i) the hospital has applied to the department for a designation; and (ii) the hospital has been certified by The Joint Commission, the American Heart Association or any other department-approved, nationally-recognized certifying body as an acute stroke ready hospital, primary stroke center or comprehensive stroke center.

Section 51O. The department and regional EMS councils, as defined in section 1 of chapter 111C, shall establish prehospital care protocols related to the assessment, treatment, transport and rerouting of stroke patients by licensed emergency medical services providers to acute stroke ready hospitals, primary stroke centers and comprehensive stroke centers. The protocols shall include plans for the triage and transport of suspected stroke patients including, but not limited to, those patients who may have an emergent large vessel occlusion, to an appropriate facility within a specified timeframe of onset of symptoms. The protocols shall include any additional criteria necessary to determine the level of care that is the most appropriate for a suspected stroke patient. The protocols shall be based on nationally-recognized guidelines for the transport of acute stroke patients. The protocols shall also consider the capability of an emergency receiving facility to improve outcomes for those patients suspected, based on clinical severity, of having an emergent large vessel occlusion. Each regional EMS council shall establish a prehospital point of entry plan for stroke-related patients for their own respective region.

The department shall: (i) make available the list of designated stroke centers, including the identification of hospitals with continuous neurointerventional coverage, to the medical director of each licensed emergency medical services provider; (ii) maintain a copy of the list in the office designated within the department to oversee emergency medical services; and (iii) post a list of all designated stroke centers and the level of care to the department website. The department shall update the list of designated stroke centers at least annually.

Section 51P. The department shall establish and maintain a data oversight process to improve the quality of care for stroke patients. The process shall include a stroke registry database that compiles information and statistics on stroke care that align with nationally-recognized stroke measures.

A hospital designated by the department as an acute stroke ready hospital, a primary stroke center or a comprehensive stroke center shall utilize a nationally-recognized data platform to collect the stroke data set that shall be required by the department. The data elements shall be collected through the data registry platform and transmitted to the department for inclusion in the stroke registry.

The department shall convene a group of experts including, but not limited to, a representative from the American Stroke Association, a representative from The Massachusetts Neurologic Association, Inc., a representative from Society of Neurointerventional Surgery, a representative from Massachusetts Council of Community Hospitals, Inc., a representative from Massachusetts College of

Emergency Physicians, Inc. and a representative of a regional EMS council, with input from key stroke stakeholders and professional societies, to form a stroke advisory taskforce that shall assist with data oversight, program management and advice regarding the stroke system of care. The task force shall meet not less than quarterly to review data and provide advice.”; and

By adding the following two sections:

“SECTION 149. Notwithstanding any general or special law to the contrary, until hospitals have been designated pursuant to section 51N of chapter 111 of the General Laws, the department of public health shall designate primary stroke service hospitals as acute stroke ready hospitals capable of providing care previously designated in regulations as primary stroke service care.

At the time that the department begins the designation of 3 tiers of stroke facilities pursuant to said section 51N of said chapter 111, hospitals may maintain primary stroke service designation utilizing the existing processes and criteria for a 6-month period. At the time that the department begins the designation process, primary stroke service hospitals shall be recognized as acute stroke ready hospitals. After the department has begun the designation process, all primary stroke service hospitals shall be considered acute stroke ready hospitals, regardless of additional capacity, until they receive a higher designation of primary stroke center or comprehensive stroke center.

SECTION 150. The department shall designate hospitals pursuant to section 51N of chapter 111 of the General Laws not later than 180 days after the effective date of this act.”.

The amendments were adopted.

The Chair (Mr. Donato of Medford) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 115 members voted in the affirmative and 34 in the negative.

[See Ye and Nay No. 375 in Supplement.]

Therefore Rule 1A was suspended.

Mrs. Haddad of Somerset then moved to amend the bill in section 63 (as published), in line 1316, by inserting after the word “commonwealth,” the following: “or a hospital licensed under section 51 with a public payer mix above 70 per cent as determined by the center for health information and analysis”; and the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill by inserting after section 10 (as published) the following section:

“SECTION 11A. Said section 7 of said chapter 6D, as so appearing, is hereby further amended by striking out, in lines 44 and 45, the words ‘Prevention and Wellness Trust Fund, the’.”;

By inserting after section 22 (as published) the following section:

“SECTION 24A. Said subsection (c) of said section 15 of said chapter 6D is hereby further amended by striking out clause (12), as amended by section 22, and inserting in place thereof the following clause:—

(12) to promote community-based wellness programs and community health workers and to promote other activities that integrate community public health interventions with an emphasis on the social determinants of health and which have been proven to improve health.”;

In section 24 (as published), in line 561 and 562, by striking out the sentence

Rule 1A.

Rule 1A
suspended,—
yea and nay
No. 375.

contained in those lines and inserting in place thereof the following sentence: “All biosimilar biologics license applications (BLA), upon the receipt of an action date from the FDA.”;

By inserting after section 33 (as published) the following section:

“SECTION 35A. Said section 7 of said chapter 12C, as amended by section 33, is hereby further amended by striking the words ‘Prevention and Wellness Trust established in section 7A of chapter 6D’ each time they were inserted by section 33, and inserting in place thereof the following words:— Community Hospital Reinvestment Trust Fund established in section 2TTTT of chapter 29.”;

In section 35 (as published), in line 709, by inserting after the following: “(3)” the word “aggregate”;

By inserting after section 43 (as published) the following section:

“SECTION 45A. Section 23 of said chapter 12C, as appearing in section 43 is hereby amended, by striking out the words ‘Prevention and Wellness Trust Fund established in section 7A of chapter 6D’ and inserting in place thereof the following words:— Community Hospital Reinvestment Trust Fund established in section 2TTTT of chapter 29.”;

In section 47 (as published), in lines 1010 and also in 1016, by striking out the word “percentile”, in each instance, and inserting in place thereof the words “per cent”;

In section 64 (as published), in lines 1357, 1358 and 1359 by striking out the following: “a registered nurse licensed under section 80B of chapter 112 and authorized by the board of registration in nursing to practice as a certified clinical specialist in psychiatric and mental health nursing” and inserting in place thereof the following: “an advanced practice registered nurse licensed and authorized by the Board of Registration in Nursing pursuant to sections 74 and 80B of chapter 112 that holds certification from a board-recognized certifying organization in the field of psychiatric mental health.”;

By inserting after section 55 (as published) the following section:

“SECTION 58A. Said section 14 of said chapter 94G, as amended by section 55, is hereby further amended by striking out the words ‘Prevention and Wellness Trust Fund established in section 7A of chapter 6D’ and inserting in place thereof the following words:— Community Hospital Reinvestment Trust Fund established in section 2TTTT of chapter 29.”;

By striking out section 70 (as published) and inserting in place thereof the following section:

“SECTION 73. Chapter 118E of the General Laws is hereby amended by inserting after section 25 the following section:

‘Section 25A. (a) The division may, for individuals 65 years of age or older, disregard income in an amount equivalent to 15 per cent of the federal poverty level, as adjusted annually, in determining eligibility for the Qualified Medicare Beneficiary, Specified Low-Income Medicare Beneficiary and Qualified Individual programs, described in 42 U.S.C. section 1396a (a)(10)(E), known as the Medicare Savings or Medicare Buy-In Programs. Enrollment in the Qualified Individual program shall be capped if the federal allotment for the program is exhausted.

(b) The division shall obtain all required federal approvals including amending its state plan and shall promulgate regulations prior to implementing subsection (a).

(c) Funds may be transferred from the prescription advantage program in line item 9110-1455 and Health Safety Net Trust Fund to fund the expansion described in subsection (a), to the extent that the Secretary of the Executive Office of Health and Human Services determines that such expansion will result in a savings to those

programs and funds are available as a result’.”;

By inserting after section 74 (as published) the following two sections:

“SECTION 77A. Section 8 of chapter 118I of the General Laws, as so appearing, is hereby amended by striking out the words ‘2G of chapter 111’ and inserting in place thereof the following words:— 7A of chapter 6D.

SECTION 77B. Said section 8 of said chapter 118I, as amended by section 74A, is hereby further amended by striking out the words ‘Prevention and Wellness Trust Fund, established in section 7A of chapter 6D’ and inserting in place thereof the following words:— Community Hospital Reinvestment Trust Fund established in section 2TTTT of chapter 29.”;

In section 95 (as published), in line 2229, by inserting after the word “provider” the following: “, other than a person licensed under Chapter 111C.”;

By inserting after section 120A (as inserted by amendment) the following section:

“SECTION 120B: Subsection (e) of section 2TTTT of chapter 29 of the General Laws shall take effect on July 1, 2022.”; and

By adding the following section:

“SECTION 151. Sections 11A, 24A, 35A, 45A and 58A, 77B shall take effect on July 1, 2023.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House taken by yeas and nays, at the request of Mr. Mariano of Quincy; and on the roll call 117 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 376 in Supplement.]

Therefore the bill (House, No. 4639, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 376.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next
sitting.

Mr. D’Emilia of Bridgewater then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at seven minutes after eleven o’clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JUNE 20, 2018.

[68]*

JOURNAL OF THE HOUSE.

Wednesday, June 20, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Truth and Freedom, we ask for Your Blessing upon the men and women of this branch of government. We ask you to assist the elected leadership and their staff in their efforts to use their gifts at the service of their fellow citizens.

May God continue to bless our Commonwealth.

Prayer.

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.

Guest of the House.

During the session, Ms. Tyler of Boston took the Chair, declared a brief recess, offered welcoming remarks and introduced BeBe Winans. Mr. Winans then briefly addressed the House and sang *God Bless America*. He was the guest of Representatives Tyler of Boston, Rushing of Boston, Carvalho of Boston, Holmes of Boston, and Williams of Springfield.

BeBe Winans.

Resolutions.

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

Resolutions (filed by Representatives Haddad of Somerset, Silvia of Fall River, Schmid of Westport, Fiola of Fall River and Howitt of Seekonk) congratulating the Honorable Judge Gilbert J. Nadeau, Jr. on the occasion of his retirement;

Gilbert Nadeau.

Resolutions (filed by Mr. Gordon of Bedford) congratulating Richard J. Connors on the occasion of his retirement;

Richard Connors.

Resolutions (filed by Mr. Howitt of Seekonk) honoring David Katseff on receiving the Lifetime Achievement Award at the MASC and Mass Joint Conference; and

David Katseff.

Resolutions (filed by Mr. Kelcourse of Amesbury) congratulating Ben Jackson on receiving the Eagle Award of the Boy Scouts of America;

Ben Jackson.

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. Kelcourse, 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 Barrows of Mansfield and Senator Feeney, a joint petition (accompanied by bill, House, No. 4642) of F. Jay Barrows and Paul R. Feeney (by vote of the town) that the town of Foxborough be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises in said town; and

Foxborough,—
liquor
license.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4643) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Orleans be exempt from certain provisions of the state plumbing code at all municipal seasonal beach facilities in said town;

Orleans,—
beaches.

Severally to the committee on Consumer Protection and Professional Licensure.

By Mr. Fernandes of Falmouth, a petition (accompanied by bill, House, No. 4644) of Dylan Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to repeal the act establishing the Nantucket Mosquito Control Project. To the committee on Environment, Natural Resources and Agriculture.

Nantucket,—
mosquito
control.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4645) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Orleans be authorized to establish an affordable housing trust fund. To the committee on Municipalities and Regional Government.

Orleans,—
fund.

Severally sent to the Senate for concurrence.

Papers from the Senate.

A Bill establishing a sick leave bank for Elizabeth Fontaine, an employee of the Department of Children and Families (Senate, No. 2560, amended by inserting before the enacting clause the following emergency preamble:

Elizabeth
Fontaine,—
sick leave.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is establish forthwith a sick leave bank for a certain employee of the department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Mahoney of Worcester, the bill was read a second time forthwith; and it was ordered to a third reading.

A petition of Marc R. Pacheco and Susan Williams Gifford for legislation to establish a sick leave bank for Norma Jean Silva, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Norma Jean
Silva,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2572) was referred, in concurrence, to the committee on the Judiciary.

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 petition of Jennifer E. Benson for legislation to establish a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission. Under suspension of the rules, on motion of Mr. Mahoney of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Carol
Poladian,—
sick leave.

Report of the committee on Labor and Workforce Development, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 1042) of RoseLee Vincent and others relative to the equality of Sunday pay for retail workers, was considered forthwith, under suspension of the rules, on motion of Mr. Sánchez of Boston.

Retail
workers,—
wages.

Pending the question on acceptance of the report, the petition was referred to the committee on Ways and Means, on motion of the same member.

By Mr. Galvin of Canton, for the committees on Rules, that the Resolve establishing a special commission to study the effects of coastal and ocean acidification and its existing and potential effects on species that are commercially harvested and grown along the Massachusetts coast (House, No. 4133), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Coastal
acidification.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 279, 292, 317, 2024, 2880, 3481 and 3765, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education. (House, No. 4641). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Schools, etc.,—
study.

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 Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the sale of real property in Chelmsford (House, No. 4510).

Chelmsford,—
property.

By the same member, for the same committee, on a petition, a Resolve reviving and further continuing the special commission established to investigate and report on the preservation of Polish culture and history in the Pioneer Valley (House, No. 4543).

Polish
culture,—
commission.

By the same member, for the same committee, on House, No. 4511, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Grafton (House, No. 4636) [Local Approval Received].

Grafton,—
land.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on House, No. 4598, a Bill authorizing the city of Cambridge to use certain land used for open recreational purposes for traffic reconfiguration (House, No. 4634) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Cambridge,—
land.

By Mr. Sánchez of Boston, for the committee on Ways and Means, on Senate, No. 1004 and House, Nos. 1042, 1544, 1595, 2172 and 2365, a Bill relative to minimum wage, paid family medical leave and the sales tax holiday (House, No. 4640) [Representatives Boldyga of Southwick and Campanale of Leicester dissenting]. Read; and referred, under Rule 7A, to the committee on Steering Policy and Scheduling.

Wages,
medical leave
and sales tax.

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

Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith.

On the question on ordering the bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 112 members voted in the affirmative and 37 in the negative.

Bill ordered
to a third
reading,—
yea and nay
No. 377.

[See Yea and Nay No. 377 in Supplement.]

Therefore the bill was ordered to a third reading.

Subsequently under further suspension of the rules, on motion of Mr. Brodeur of Melrose, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Mr. Lyons of Andover and other members of the House moved to amend it by adding the following section:

“SECTION 38. Section 2 of Chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”

Mr. Kulik of Worthington thereupon raised a point of order that the amendment offered by the gentleman from Andover was beyond the scope of the subject-matter currently before the House.

Point of
order.

In answer to the point of order, the Chair (Mr. Donato of Medford) stated that the amendment offered by the gentleman from Andover would reduce the meals tax rate. Neither the bill currently before the House nor any of the bills in its basis would provide for such reduction. This amendment presents an entirely new topic to the measure before the House. Offering such new subject-matter in the form of an amendment from the floor of the House, and thereby by-passing the deliberative steps required under our rules for the passage of a bill, would violate the essence of the legislative process. The Chair is therefore compelled to rule that the amendment is beyond the scope of the measure before the House; and it will be laid aside accordingly.

Mr. Lyons of Andover thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Lombardo of Billerica.

Appeal from
decision of
Chair.

The question was then put: “Shall the decision of the Chair stand as the judgment of the House?”

After remarks on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Lombardo; and on the roll call 116 members voted in the affirmative and 34 in the negative.

Decision
of Chair
sustained,—
yea and nay
No. 378.

[See Yea and Nay No. 378 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

“SECTION 38. Section 2 of Chapter 64I of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”

Mr. Kulik of Worthington thereupon raised a point of order that the amendment offered by the gentleman from Andover was beyond the scope of the subject-matter currently before the House.

Point of order.

In answer to the point of order, the Chair (Mr. Donato of Medford) stated that the amendment offered by the gentleman from Andover would reduce the sales tax rate. Neither the bill currently before the House nor any of the bills in its basis would provide for such reduction. This amendment presents an entirely new topic to the measure before the House. Offering such new subject-matter in the form of an amendment from the floor of the House, and thereby by-passing the deliberative steps required under our rules for the passage of a bill, would violate the essence of the legislative process. The Chair is therefore compelled to rule that the amendment is beyond the scope of the measure before the House; and it will be laid aside accordingly.

Mr. Lombardo of Billerica thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Lyons of Andover.

Appeal from decision of Chair.

The question was then put: “Shall the decision of the Chair stand as the judgment of the House?”

After debate on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Lombardo of Billerica; and on the roll call 115 members voted in the affirmative and 35 in the negative.

Decision of Chair sustained,—yea and nay No. 379.

[See Yea and Nay No. 379 in Supplement.]

Therefore the decision of the Chair was sustained.

Messrs. Hill of Ipswich and Barrows of Mansfield then moved to amend the bill by adding the following section:

“SECTION 38. Section 1 of Chapter 151, as appearing in the 2016 Official Edition, is hereby amended by adding at the end of the first paragraph the following:— ‘provided further, this section shall not apply to anyone under the age of 18 and further the wage of \$11 shall be considered the minimum wage for employees under the age of 18.’”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill; and on the roll call 35 members voted in the affirmative and 116 in the negative.

Amendment rejected,—yea and nay No. 380.

[See Yea and Nay No. 380 in Supplement.]

Therefore the amendment was rejected.

Mr. Scaccia of Boston then moved to amend the bill by striking out sections 5 to 16, inclusive. After debate the amendment was rejected.

Mr. Sánchez of Boston then moved to amend the bill by striking out section 27 and inserting in place thereof the following section:

“SECTION 27. Said section 7 of said chapter 151, as appearing in the 2016 Official Edition, is hereby further amended by inserting after the words ‘section 1’, in line 36, the following words:— ; provided, however, that an employer shall calculate the amount required by clause (2) at the completion of each shift worked by the employee, with payments to the employee to be consistent with section 148 of chapter of 149.”;

In section 29, in line 355, by striking out the words “commissioner of

UNCORRECTED PROOF.

unemployment assistance” (as published) and inserting in place thereof the word “department”, in line 497 by striking out the word “A” and inserting in place thereof the words “For medical leave, a”; and in line 531 by striking out the following: “section 2” and inserting in place thereof the words “this chapter”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Brodeur of Melrose; and on the roll call 126 members voted in the affirmative and 25 in the negative.

[See Yea and Nay No. 381 in Supplement.]

Therefore the bill, as amended, was passed to be engrossed. Mr. Scaccia of Boston then moved that this vote be reconsidered; and the motion to reconsider was considered forthwith; and it was negatived. The bill (House, No. 4640, amended) then was sent to the Senate for concurrence.

Bill passed to be engrossed,—
yea and nay
No. 381.

Recess.

At a quarter before three o’clock P.M., on motion of Mr. D’Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-five minutes after seven o’clock, the House was called to order with Mr. Donato in the Chair.

Recess.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill establishing a sick leave bank for Zelpha Bennett, an employee of the Operational Services Division (House, No. 4119) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Cullinane of Boston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Zelpha
Bennett,—
sick leave.

The House Bill authorizing the city known as the town of Amherst to hold a special election on November 6, 2018 (House, No. 4482), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Goldstein-Rose of Amherst; and it was passed to be engrossed. Sent to the Senate for concurrence.

Amherst,—
special
election.

Engrossed Bill.

The engrossed Bill relative to minimum wage, paid family medical leave and the sales tax holiday (see House, No. 4640, amended) having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Wages,
medical leave
and sales tax.

After debate on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Gordon of Bedford; and on the roll call 119 members voted in the affirmative and 24 in the negative.

Bill enacted,—
yea and nay
No. 382.

[See Yea and Nay No. 382 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting

UNCORRECTED PROOF.

Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. D'Emilia of Bridgewater then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at seven minutes before eight o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JUNE 21, 2018.

[69]

JOURNAL OF THE HOUSE.

Thursday, June 21, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Truth and Freedom, we ask for Your Blessing upon the men and women of this branch of government. We ask You to assist the elected leadership and their staff in their efforts to use their gifts at the service of their fellow citizens.

Prayer.

God of Lofty Heights and Deep Valleys, we give thanks for yesterday's 120th anniversary of the creation of the first state park in Massachusetts. On June 20, 1898, the Commonwealth took ownership of 400 acres in the Berkshires establishing the Mount Greylock state park. Eventually 12,500 acres of land surrounding the highest natural peak in the Commonwealth became part of this parkland. The origin of the name for the near 3,500 foot mountain is disputed. It is possibly named after the native Abenaki chief Gray Lock or its name may be derived by the gray wispy cloud or lock of gray mist near its summit.

Leadership in the state government was persuaded by local business leaders who saw the need to preserve the forest of Mount Greylock as deforestation helped create fires feeding on the debris left behind as well as scarring on parts of the mountainside.

May God continue to bless our Commonwealth.

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.

A message from His Excellency the Governor, submitting recommendations for making certain appropriations for fiscal year 2019 before final action on the General Appropriation Bill (House, No. 4650), was filed this day in the office of the Clerk.

State funds,—
emergency
expenditure.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Worcester – Framingham – Grand Junction Commuter Rail Caucus.

A communication from Representative Moran of Boston announcing the formation of the Worcester – Framingham – Grand Junction Commuter Rail Legislative Caucus, including the caucus mission statement and list of the membership was received in the office of the Clerk; and placed on file.

Worcester –
Framingham –
Grand Junction
Commuter Rail
Caucus.

Resolutions.

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

Resolutions (filed by Ms. Malia of Boston) congratulating Kim J. Wright, Esq. on the occasion of her retirement; and

Kim
Wright.

Resolutions (filed by Ms. Tyler of Boston and other members of the House) congratulating attorney Leslie Walker on the occasion of her retirement;

Leslie
Walker.

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

Petitions.

Mr. Vega of Holyoke presented a petition (accompanied by bill, House, No. 4652) of Aaron Vega (with the approval of the mayor and city council) relative to the position of auditor in the city of Holyoke; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Holyoke,—
auditor.

Petitions severally were presented and referred as follows:

By Mr. Barrows of Mansfield (by request), a petition (subject to Joint Rule 12) of Leann Campbell relative to exemptions for Massachusetts Comprehensive Assessment System (MCAS) exams.

MCAS,—
exemptions.

By Representative Hill of Ipswich and Senator Tarr, a joint petition (subject to Joint Rule 12) of Bradford Hill and Bruce E. Tarr relative to the release of certain land in Rowley from operation of an agricultural covenant.

Rowley,—
land.

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

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2566) of Patrick M. O'Connor (by vote of the town) for legislation to amend the charter of the town of Hull to authorize the chair, vice-chair or clerk of the town of Hull local licensing authority to issue one day alcohol, common victualler and/or entertainment licenses, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Hull,—
licenses.

Reports of Committees.

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

Authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (House, No. 4551) [Local Approval Received]; and

Auburn,—
land.

Establishing a sick leave bank for Keri Volk, an employee of the Department

Keri Volk,—
sick leave.

of Correction (House, No. 4616);

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. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1793, 1808, 1812, 1824, 1826, 1833, 1846, 1853, 1854, 1858, 1875, 1913, 2728, 2739, 2760, 3406, 3407, 3410, 3412, 3415, 3416, 3419, 3423, 3427, 3430, 3435, 3436, 3437, 3441 and 3538, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning transportation (House, No. 4649). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Transportation,—
study.

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. Galvin of Canton, for the committees on Rules, that the Bill [sic] foster parents bill of rights (House, No. 4492), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Foster
parents,—
rights.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Elizabeth Fontaine, an employee of the Department of Children and Families (Senate, No. 2560, amended), 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.

Elizabeth
Fontaine,—
sick leave.

The House Bill relative to the classification of certain employees of the South Essex Sewerage District (House, No. 4253), 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. Sent to the Senate for concurrence.

South Essex
Sewerage
District.

Recess.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at four minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

UNCORRECTED PROOF.

At four minutes after twelve o'clock noon, on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JUNE 25, 2018.

[70]

JOURNAL OF THE HOUSE.

Monday, June 25, 2018.

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.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Jared K. Perry on receiving the Eagle Award of the Boy Scouts of America;

Jared
Perry.

Resolutions (filed by Messrs. Brodeur of Melrose and Wong of Saugus) congratulating Dr. Kimberly J. Smith on the occasion of her retirement; and

Kimberly
Smith.

Resolutions (filed by Mr. Pignatelli of Lenox) congratulating the Berkshire Theatre Festival on its ninetieth anniversary;

Berkshire
Theatre Festival.

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. Kafka of Stoughton, 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 Cutler of Duxbury and Senator Brady, a joint petition (accompanied by bill, House, No. 4657) of Josh S. Cutler and Michael D. Brady (by vote of the town) relative to the recall of elected officials in the town of Hanson. To the committee on Election Laws.

Hanson,—
recall
elections.

By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 4658) of David F. DeCoste (by vote of the town) relative to the authority and duties of the town manager in the town of Hanover. To the committee on Municipalities and Regional Government.

Hanover,—
town
manager.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero for legislation to establish a student loan forgiveness program within the Massachusetts Educational Financing Authority.

Student loans,—
forgiveness.

By Mr. Mark of Peru, a petition (subject to Joint Rule 12) of Paul W. Mark relative to releasing certain land in the town of Northfield from the operation of an

Northfield,—
agricultural
covenant.

agricultural covenant.

By Mr. Wong of Saugus, a petition (subject to Joint Rule 12) of Donald H. Wong for legislation to establish a sick leave bank for Susan Brown, an employee of the Executive Office of Health and Human Services.

Susan
Brown,—
sick leave.

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

Papers from the Senate.

The Senate Bill relative to veterans' benefits, rights, appreciation, validation and enforcement (Senate, No. 2509), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4540).

Veterans'
benefits.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Rush, Brownsberger and Humason had been appointed the committee on the part of the Senate.

Committee
of conference.

On motion of Mr. Lawn of Watertown, the House insisted on its amendment; and, on further motion of the same member, concurred with the Senate in the appointment of a committee of conference. Representatives Lawn, Cronin of Easton and DeCoste of Norwell then were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

The House Bill relative to firearms (House, No. 4539), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2549.

Firearms.

Under suspension of Rule 35, on motion of Mr. Naughton of Clinton, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Naughton, Decker of Cambridge and Vieira of Falmouth were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Creem, Spilka and Tarr had been joined as the committee on the part of the Senate.

Id.

The House Bill establishing the Honorable Peter V. Kocot Act to enhance access to high quality, affordable and transparent healthcare in the Commonwealth (House, No. 4639), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2573.

Healthcare.

Under suspension of Rule 35, on motion of Mr. Mariano of Quincy, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Mariano, Roy of Franklin and Hunt of Sandwich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted

Id.

UNCORRECTED PROOF.

on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Welch, Lewis and Tarr had been joined as the committee on the part of the Senate.

Bills

To modernize the Commonwealth's administration of unemployment insurance (Senate, No. 2554, amended by adding the following section:

“SECTION 6. Section 1 shall go into effect on July 1, 2019.”) (on Senate bill No. 2450);

To protect children and families from harmful flame retardants (Senate, No. 2555) (on Senate bill No. 1175);

To prevent wage theft and promote employer accountability (Senate, No. 2574) (on Senate bill No. 2546, amended); and

Relative to ivory and rhinoceros horn trafficking (Senate, No. 2575) (on Senate bill No. 2553, amended); and

The Senate Resolve relative to sexual assault counselor task force (Senate, No. 2567) (on Senate resolve No. 1241);

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill authorizing the city of Westfield to categorize all certain private ways a public streets [sic] (Senate, No. 2241) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Resolutions for a United States constitutional amendment and amendments convention (Senate, No. 2243, amended in lines 22 to 45, inclusive, and also in lines 53 to 75, inclusive, by striking out the text contained in those lines) (on Senate, No. 379), adopted by the Senate, 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 Bradford Hill and Bruce E. Tarr relative to the release of certain land in Rowley from operation of an agricultural covenant. Under suspension of the rules, on motion of Ms. Ferrante of Gloucester, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor, a Bill making certain appropriations for the fiscal year 2019 before final action on the General Appropriation Bill (printed in House, No. 4650) [Total Appropriations: \$5,000,000,000.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill

Unemployment insurance.

Flame retardants.

Wage theft.

Horn trafficking.

Sexual assault task force.

Westfield,— private ways.

Constitutional convention,— Citizens United.

Rowley,— agricultural covenant.

State funds,— emergency expenditure.

was read a second time forthwith; and it was ordered to a third reading.

Subsequently under further suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill amending the authorization for the exchange of an easement in the control of the Department of Conservation and Recreation to facilitate a project important to the economic development of the city of Lynn (House, No. 4268, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lynn,—
land.

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

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

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4504) of James Arciero and James B. Eldridge (by vote of the town) that the town of Littleton be authorized to increase the accidental disability retirement allowance payable to Scott Holt, a retired fire fighter of said town.

Littleton,—
Scott Holt.

Under suspension of the rules, on a motion of Mr. Parisella of Beverly, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

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

Authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 4621) [Local Approval Received];

Marlborough,—
liquor licenses.

Relative to the sale of alcoholic beverages in the town of Otis (House, No. 4622) [Local Approval Received]; and

Otis,—
liquor license.

Authorizing the city of Cambridge to use certain land used for open recreational purposes for traffic reconfiguration (House, No. 4634) [Local Approval Received];

Cambridge,—
land.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on House, Nos. 18, 20, 22, 33, 1320, 1322, 1323, 1324, 1325, 1326, 1330, 1331, 1332, 1333, 1335, 1336, 1337, 1338, 1339, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1353, 1355, 1356, 1357, 1358, 1359, 1360, 1364, 1365, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1378, 1379, 1380, 1381, 1383, 1384, 1385, 1387, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1407, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1418, 1420, 1421, 1422, 1423, 1425, 1428, 1432, 1434, 1436, 1437, 1439, 1440, 1441, 1442, 1443, 1447, 1448, 1451, 1452, 1453, 1454, 1456, 1457, 1461, 1462, 2361, 2513, 2516, 2517, 2518, 2520, 2521, 2522, 2523, 2524, 2525, 2526,

Public Service,—
study.

2527, 2528, 2529, 2532, 2533, 2534, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2561, 2562, 2565, 2568, 2569, 2571, 2572, 2574, 2575, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 3276, 3277, 3280, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3290, 3291, 3292, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3521, 3616, 3617, 3618, 3619, 3621, 3696, 3709, 3813, 3890, 3988 and 4097, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public service (House, No. 4654). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Galvin of Canton, for said committees, reported asking to be discharged from further consideration of said 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. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1734, 1735, 1736, 1737, 1738, 1740, 1741, 1742, 1743, 1744, 1745, 1749, 1750, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1774, 1775, 1777, 1778, 1779, 1780, 2682, 2683, 2684, 2685, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2696, 2698, 2699, 2701, 2702, 2703, 2704, 2707, 2708, 2710, 2711, 2713, 3386, 3387, 3389, 3390, 3391, 3392, 3393, 3394, 3395, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3529, 3635, 3636, 3637, 3698, 3766, 3948 and 4096, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning telecommunications, utilities and energy (House, No. 4651). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Telecommunication
s, utilities and
energy,—
study.

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.

Mr. Galvin of Canton, for said committee on Rules, on the foregoing order, then reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1743) of Colleen M. Garry and Kay Khan relative to the disclosure of call location information to law enforcement agencies by telephone companies or wireless carriers,— and recommending that the same be recommitted to the committee on Telecommunications, Utilities and Energy. Under Rule 42, the report was considered forthwith; and it was accepted.

Law
enforcement,—
call location.

By Ms. Hogan of Stow, for the committee on Public Health, on House, No. 1189, a Bill relative to out-of-hospital birth access and safety (House, No. 4655). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Births,—
out-of-
hospitals.

By Ms. Hogan of Stow, for the committee on Public Health, on House, No. 1245, a Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 4656). Read; and referred, under Rule 33, to the committee on Ways and Means.

Flame
retardants.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Elizabeth Fontaine, an employee of the Department of Children and Families (see Senate, No. 2560, 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.

Elizabeth
Fontaine,—
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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Relative to the membership of the Millbury Redevelopment Authority (see House, No. 1101);

Bills
enacted.

Exempting certain affordable housing in the South End section of the city of Boston from certain procurement and contracting requirements (see House, No. 3540); and

Authorizing the city known as the town of Amherst to hold a special election for the office of town councilor (see House, No. 4482);

(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 designating certain bridges in the town of Bourne as the U.S. Army Special Forces Staff Sergeant Matthew A. Pucino memorial bridges (Senate, No. 2316), 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.

The House Bill increasing residency preference for appointment at Boston Police Department and Boston Fire Department (House, No. 3537) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Id.

Recess.

At twenty minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and seven minutes after one o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Recess.

UNCORRECTED PROOF.

Engrossed Bill.

The engrossed Bill making certain appropriations for the fiscal year 2019 before final action on the General Appropriation Bill (see House bill printed in House, No. 4650) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eight minutes after one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JUNE 27, 2018.

[71]*

JOURNAL OF THE HOUSE.

Wednesday, June 27, 2018.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Creator God who continues to recreate the beauty and wonder of our natural world, we give thanks for the ability to also be creators. We ask Your blessing upon our elected officials who craft legislation for the betterment of our citizens. May they and their staff persevere in their efforts to enhance our life in Massachusetts.

Prayer.

Today we honor a small town that has made a big impact in America. Today marks the 1727 incorporation of Uxbridge in Worcester County. Taking advantage of the Blackstone River, early leaders in the Industrial Revolution built various mills to produce textiles and other materials.

The town seal features the image of an early loom.

The first "wash and wear" fabric was produced by Uxbridge mills. Military uniforms for the Civil War through to World War II were manufactured in Uxbridge including the first dress uniform for members of the US Air Force made with cloth nicknamed "Uxbridge Blue".

The 14,000 citizens of Uxbridge are rightly proud of the history of their small town.

May God continue to bless our Commonwealth.

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.

Messages from the Governor.

A message from His Excellency the Governor (under the provisions of Section 3 of Article LXII of the Amendments to the Constitution) recommending legislation relative to providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 4668), was filed in the office of the Clerk on Monday, June 25.

Bonds,—
issuance.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

A message from His Excellency the Governor (under the provisions of Section 3 of Article LXII of the Amendments to the Constitution) recommending legislation relative to providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 4669), was filed in the office of the Clerk on Monday, June 25.

Id.

The message was read; and it was referred, under Rule 17G, with the

accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

Communications.

Communications

From the Department of Public Utilities (see Section 1G of Chapter 164 of the General Laws) submitting its annual report concerning self-generation for fiscal year 2017;

Public utilities,— self-generation.

From the Secretary of Public Safety and Security submitting the 2016-2017 Gun Crime Recovery Report (see item 8000-0600 of Chapter 47 of the Acts of 2017) regarding the effectiveness of current reporting mechanisms for lost and stolen guns and firearm purchase and sales patterns as they relate to firearms traced to crime and other categories and data identified in said law;

Gun crime,— recovery report.

From the Dukes County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its request for technology fund monies from the County Registers Technological Fund [copies of said report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law]; and

Dukes County Registry of Deeds,— technology report.

From the Norfolk County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of said report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law];

Norfolk County Registry of Deeds,— technology report.

Severally were placed on file.

Annual Report.

The annual report of the Executive Office of Housing and Economic Development MassWorks Infrastructure Program (under Section 63 of Chapter 23A of the General Laws) for the fiscal year 2017, was placed on file.

MassWorks,— infrastructure grants.

Paper from the Senate.

The House Bill amending the charter of the town of Oxford to elect 3 members of the housing authority (House, No. 3746), 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:

Oxford,— housing authority.

“SECTION 1. Subsection 4-5-1 of section 5 of chapter 4 of the charter of the town of Oxford, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- There shall be a housing authority of 5 members, 1 of whom shall be appointed under the authority of the commonwealth, 3 of whom shall be elected and 1 of whom shall be chosen in accordance with the General Laws.”.

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

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 petition of Paul W. Mark relative to releasing certain land in the town of Northfield from the operation of an agricultural covenant. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Northfield,—
agricultural
covenant.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Resolve establishing a task force on civil service hiring procedures (House, No. 3301),— 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.

Civil
service,—
task force.

Mr. Galvin of Canton, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public service (House, No. 4654), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1323) of Brian M. Ashe and Eric P. Lesser for legislation relative to retirement benefits for Mary Donna Nodurf,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

Mary Donna
Nodurf,—
retirement
benefits.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the city of Malden to continue the employment of Barbara O'Brien (House, No. 4574) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Malden,—
Barbara
O'Brien.

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

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 135, 157, 2813, 2814, 2815 and 2827, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning consumer protection matters (House, No. 4648).

Personal
information,
etc,—
study.

By Ms. Gregoire of Marlborough, for the committee on Elder Affairs, on House, Nos. 334, 338, 340, 341, 342, 343, 344, 346, 348, 349, 2067, 2068, 2070, 2071, 2075, 2887, 2888, 2889, 2893 and 2894, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain House documents concerning elder affairs (House, No. 4659).

Homecare
facilities, etc.,—
study.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 2759, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of a certain House document concerning personal injury and property damage (House, No. 4596).

Personal injury
and property
damage,—
study.

UNCORRECTED PROOF.

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

Subsequently, 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. Galvin of Canton, for the committee on Rules, that the Bill affirming inclusion of people with disabilities on commissions of the Commonwealth (House, No. 112), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

People with disabilities.

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to the closing of hospital essential services (House, No. 1143). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Hospitals,—
essential services.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill authorizing the Economic Development and Industrial Corporation of Boston to qualify a single energy service company for the design, construction, operation, maintenance, and financing of a district energy/microgrid project and related energy savings performance contract to serve the public and private property owners and tenants in the Raymond L. Flynn Marine Park (House, No. 4324) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Boston,—
energy services.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill establishing a town manager form of government for the town of Pembroke (House, No. 4607) [Local Approval Received].

Pembroke,—
charter.

By the same member, for the same committee, on a joint petition, a Bill to establish an appointed highway superintendent in the town of Groveland (House, No. 4620) [Local Approval Received].

Groveland,—
highway superintendent.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Stoneham to change the name of the board of selectmen (House, No. 4629) [Local Approval Received].

Stoneham,—
board of selectmen.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Provincetown by adding an additional alternate member on the conservation commission (House, No. 4630) [Local Approval Received].

Provincetown,—
conservation commission.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Sharon to use [sic] of a certain parcel of land for general municipal purposes (House, No. 4633) [Local Approval Received].

Sharon,—
land.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the town of Whately to continue the employment of John Hannum (House, No. 4547) [Local Approval Received].

Whately,—
John Hannum.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Falmouth to continue the employment of police chief Edward Dunne (House, No. 4548) [Local Approval Received].

Falmouth,—
Edward Dunne.

By the same member, for the same committee, on House, No. 4535, a Bill relative to authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (House, No. 4663) [Local

Worcester,—
Brian Carroll.

Approval Received].

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4559, a Bill relative to a real property exemption for disabled persons in the town of Westford (House, No. 4660) [Local Approval Received].

Westford,—
exemptions.

By the same member, for the same committee, on House, No. 4560, a Bill authorizing the town of Andover to establish a means-tested senior citizen property tax exemption (House, No. 4661) [Local Approval Received].

Andover,—
exemptions.

By the same member, for the same committee, on House, No. 4582, a Bill authorizing the city of Somerville to impose a real estate transfer fee (House, No. 4662) [Local Approval Received] [Representative Garry of Dracut dissenting].

Somerville,—
transfer fee.

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

Emergency Measures.

The engrossed Bill designating certain bridges in the town of Bourne as the U.S. Army Special Forces Staff Sergeant Matthew A. Pucino memorial bridges (see Senate, No. 2316), 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.

Bourne,—
Pucino
bridges.

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.

The engrossed Bill authorizing the Department of Fish and Game to acquire a certain parcel of land in the town of Dalton (see House, No. 4301, changed), 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.

Dalton,—
land.

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.

Engrossed Bills.

Engrossed bills

Relative to boat excise tax revenue for the town of Chatham waterfront (see House, No. 3909, amended);

Bills
enacted.

Repealing a certain act increasing the expenditure limit on revolving funds in the city of Attleboro (see House, No. 4299); and

Designating the Houghs Neck Maritime Center in the city of Quincy as the Francis X. McCauley Houghs Neck Maritime Center (see House, No. 4435);

(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.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill establishing a sick leave bank for Jodi Cipriano, an employee of the Department of Developmental Services (House, No. 4554), reported by the

Jodi
Cipriano,—

committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Roy of Franklin.

sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of developmental services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4554, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty minutes after one o'clock, the House was called to order with the Speaker in the Chair.

Recess.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 1190), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4664).

Conversion therapy.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Health Care Financing,— to amend the bill by substitution of a bill with the same title (House, No. 4014),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Health Care Financing was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4664) was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Peake of Provincetown, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, Mr. Lyons of Andover moved to amend it in line 11 by inserting at the end thereof the following:— “Aversion therapy”, any practice, treatment, or therapy in which a client or patient is subjected to the use or application of any device, substance, odor,

or force that causes or is intended to cause pain, discomfort, or unpleasant sensations to the client or patient. in line 20 by inserting after the word “identity” the words “, utilizing aversion therapy”; and in line 27 by adding after the word “practices;” the following: “(iv) which utilize speech alone to assist the client or patient in achieving his or her desired sexual orientation or gender identity.”

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 34 members voted in the affirmative and 117 in the negative.

[See Yea and Nay No. 383 in Supplement.]

Therefore the amendments were rejected.

After further debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Peake of Provincetown; and on the roll call 137 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 384 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill ensuring high quality early education (House, No. 2874), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4665). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Ms. Balsler of Newton moved to amend it in section 3, in line 41, by striking out the words “infant and toddler program reporting requirements” and inserting in place thereof the words “requirements for reporting the use of suspension or expulsion”; and the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 5, in line 71, by inserting after the word “Grant” the following: “, funded in line item 3000-6025”; and the amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 385 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 4320), ought to pass with an

Amendments
rejected,—
yea and nay
No. 383.

Bill passed to
be engrossed,—
yea and nay
No. 384.

Early
education.

Bill passed to
be engrossed,—
yea and nay
No. 385.

Automatic
voter
registration.

amendment substituting therefor a bill with the same title (House, No. 4667). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Mahoney of Worcester, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Mr. Dooley of Norfolk moved to amend it in section 7, after line 174, by inserting the following paragraph:

“(8) The state secretary’s office shall provide mandatory training for all registrars on the administration of the requirements enumerated in this subsection.”.

After remarks the amendment was adopted.

The same member then moved to amend the bill in section 7 (as amended), after line 174, by inserting the following paragraph:

“(8) Cities and towns shall be reimbursed in full by the state secretary’s office for any costs associated with the administration of the requirements enumerated in this subsection.”.

After remarks the amendment was rejected.

Mr. Howitt of Seekonk then moved to amend the bill in section 7 by adding at the end thereof the following paragraph:

“(k) Any person who is not eligible to vote and who wishes to register to vote under this provision shall be able to vote if that person’s photo identification is shown prior to voting in federal, state, local and municipal elections,”.

The amendment was rejected.

Mr. Jones of North Reading then moved to amend the bill in section 7, in line 185, by inserting after the word “registration.” the following sentence: “ The state secretary shall also study and include within the annual report recommendations to strengthen and clarify automatic voting requirements as they pertain to eligibility for voting in municipal, state and federal elections, so as to ensure for the maximum extent possible that the requirements are clear, easily understood and enforceable in an efficient manner.”. The amendment was adopted.

Mr. Jones and other members of the House then moved to amend the bill by inserting after section 9 the following section:

“SECTION 9A. The state auditor shall identify and review the state laws, regulations, and administrative directives for automatic voter registration in order to identify whether or not the final rules, regulations, and implementations by the state secretary impose unfunded mandates on the 351 cities and towns of the Commonwealth. The state auditor shall produce and submit a report to the clerks of the house of representatives and senate on its review no later than one year after the state secretary has promulgated automatic voter registration rules and regulations pursuant to this act.”.

The amendment was rejected.

Mr. Donato of Medford then moved to amend the bill in section 4, in lines 102 to 105, inclusive, by striking out the paragraph contained in those lines and inserting

in place thereof the following paragraph:

“(6) work with the state secretary to insure, by public education and other methods, that information sufficient to understand the process for and consequences of automatic voter registration is available in all languages as required by the Voting Rights Act and all languages the agency offers or provides services in”.

The amendment was adopted.

Messrs. Kuros of Uxbridge and Lombardo of Billerica then moved to amend the bill in section 4, in lines 41 and 42, by striking out the words “registry of motor vehicles and MassHealth” and inserting in place thereof the following: “registry of motor vehicles, MassHealth and the Department of Criminal Justice Information Services Firearms Records Bureau (FRB)”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Kuros of Uxbridge; and on the roll call 38 members voted in the affirmative and 112 in the negative.

[See Ye and Nay No. 386 in Supplement.]

Therefore the amendment was rejected.

Mr. Sánchez of Boston then moved to amend the bill in section 4, in lines 31 to 34, inclusive, by striking out the words “including city or town clerk’s offices, military recruitment offices, and offices of all state agencies that provide public assistance or assistance to people with disabilities, offices that provide state-funded programs primarily engaged in providing services to people with disabilities and any other state offices which the state secretary shall designate” and inserting in place thereof the words “provided they are state agencies”; in section 6, in line 119, by inserting after the word “registry” the words “, the registry of motor vehicles and any other automatic voter registration agency as designated by the secretary,”; in section 7, in line 144, by striking out the following: “42G” and inserting in place thereof the following: “42G ½”; and by inserting after section 7 the following section:

“SECTION 7A. Said chapter 51 is hereby further amended by adding the following section:-

Section 66. The registry of motor vehicles, and any other state agency, shall provide data, as deemed necessary by the state secretary, for the purposes of maintaining accurate and complete voter lists. At least every 2 months, the registry of motor vehicles, and any other state agency the secretary designates, shall electronically transmit to the secretary all data as directed by the secretary and relevant to the purposes of voter registration, including, if available, the following record fields: (i) name, current address, mailing address, date of birth, driver’s license number or last 4 digits of the social security number and telephone number; (ii) date, time and nature of the last change to the information; and (iii) any additional information designated by the state secretary for such purposes and reasonably related to maintaining accurate and complete voter lists.

The secretary shall provide the names and addresses and other data contained in said central registry, as well as information received from the registry of motor vehicles and any other agency received for the purpose of maintaining accurate and complete voting lists, to the Electronic Registration Information Center (‘ERIC’).

The secretary shall implement if practicable a centralized system to manage and evaluate data received from ERIC to send mailings to voters centrally rather than from the local level. In the absence of such central management, if any actions regarding possibly inaccurate information in the voter registry requires any action by the registrars, the secretary shall provide any such information to the registrars in electronic form and in a manner minimizing data management at the local level.”.

Amendment
rejected,—
yea and nay
No. 386.

UNCORRECTED PROOF.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Mahoney of Worcester; and on the roll call 131 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 387 in Supplement.]

Therefore the bill (House, No. 4671, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,—
yea and nay
No. 387.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to the recognition and registration of professional employer organizations operating in the Commonwealth of Massachusetts (House, No. 3805), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4666). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Brodeur of Melrose, the bill (having been 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. Sent to the Senate for concurrence.

Employer
organizations.

Recess.

At five o'clock P.M. (Wednesday, June 27, 2018), on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Ms. Ferrante of Gloucester in the Chair.

Recess.

Prayer.

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Growth and Endurance, we pray today for the women and men of this House and for their staff. We are grateful for their efforts at collaboration. We ask You to help them to continue to work as a body that seeks to improve the lives of our citizens.

Tomorrow will mark the 1732 anniversary of the incorporation of Townsend. Named after the English Secretary of State Charles Townsend, an opponent of the Tories, Townsend has the largest land area in Middlesex County.

Bordering on New Hampshire, the 9,500 residents of Townsend enjoy the hiking trails and campgrounds of Willard Brook and Townsend State Forest that combined cover over 5,000 acres.

May God continue to bless our Commonwealth.

Prayer.

At the request of the Chair (Ms. Ferrante), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

During the session the Chair (Mrs. Haddad of Somerset) declared a recess; and, at the request of Messrs. Naughton of Clinton and Vieira of Falmouth, the members, guests and employees stood in a moment of silent prayer in respect to the memory of Major General George Keefe (Retired), who passed away on June 21st. Major General Keefe retired from the Massachusetts Air National Guard and United States Air Force in 2005 as the 39th Adjutant General of Massachusetts, with the federal rank of Major General. Among his awards and decorations are the Legion of Merit, Meritorious Service Medal, and Air Force Commendation Medal. He was predeceased by his wife of 41 years, Kathleen (Savoie) Keefe. He leaves behind 4 sons - Major General Gary Keefe, Current Adjutant General of the Massachusetts National Guard, Brigadier General James Keefe, retired, Colonel Patrick Keefe, Massachusetts Air National Guard and Chief of the Andover Police Department; and Timothy Keefe, Detective, Dover, New Hampshire police department.

Major General
George Keefe
(Retired).

Statement of Representative Dwyer of Woburn.

A statement of Mr. Dwyer of Woburn was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during yesterday's session, on the question on passing to be engrossed the House Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 4664), I voted in the negative. After further review of this legislation I have determined that my NAY vote was an error on my part. While I understand that I cannot have the permanent record altered at this time, I request that this statement be spread upon the records of the House and placed on file with the bill for those who wish to review documents related to House, No. 4664.

Statement of
Mr. Dwyer
of Woburn.

Resolutions.

Resolutions (filed by the Clerk by Mr. Fernandes of Falmouth) congratulating Jim Lentowski on his retirement, were referred, under Rule 85, to the committee on Rules.

Jim
Lentowski.

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

Petition.

Mr. Mark of Peru presented a petition (accompanied by bill, House, No. 4675) of Paul W. Mark (by vote of the town) that the town of Northfield be authorized to continue the employment of Floyd Dunnell, III, as a member of the fire department of said town; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Northfield,—
Floyd
Dunnell.

Reports of Committees.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 229, 258, 2047, 2842, 2846 and 3553, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education (House, No. 4672). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Education,—
study.

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 Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 4568, a Bill authorizing the town of Westminster to acquire state forest land (House, No. 4677). Read; and referred, under Rule 33, to the committee on Ways and Means.

Westminster,—
land.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill [sic] removal of elected financial officials for the town of Sherborn (House, No. 4533) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Sherborn,—
elected
officials.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill authorizing the appointment of special police officers in the town of Burlington (House, No. 4030) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Gordon of Bedford.

Burlington,—
special
police.

Pending the question on passing the bill to be engrossed, the Mr. Speliotis of Danvers moved to amend it in section 5, in lines 26 and 27, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "A special police officer appointed pursuant to this act shall be considered a reserve or intermittent police officer and subject to the third paragraph of section 96B of chapter 41 of the General Laws and shall not be considered a full-time police officer."

The amendment was adopted; and the bill (House, No. 4030, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At seven minutes after eleven o'clock A.M., on motion of Mr. Kafka of Stoughton (Ms. Ferrante of Gloucester being in the Chair), the House recessed until the hour of one o'clock P.M.; and at nineteen minutes after one o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

Recess.

Paper from the Senate.

A petition of Patrick M. O'Connor and Joan Meschino for legislation to authorize the commissioner of Capital Asset Management and Maintenance and the town of Hingham to grant certain easements upon certain land located in the town of Hingham, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Hingham,—
land.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2582) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Engrossed Bill.

The engrossed Bill designating certain bridges in the town of Bourne as the U.S. Army Special Forces Staff Sergeant Matthew A. Pucino memorial bridges (see Senate, No. 2316) (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.

Engrossed Bill – Land Taking.

The engrossed Bill authorizing the Department of Fish and Game to acquire a certain parcel of land in the town of Dalton (see House, No. 4301, changed) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Dalton,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 148 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 388.

[See Yea and Nay No. 388 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

The committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2549) of the House Bill relative to firearms (House, No. 4539), reported recommending the passage of a Bill further regulating certain weapons (House, No. 4670) (its title having been changed by the committees on Bills in the Third Reading, acting jointly). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Naughton of Clinton, the report was considered forthwith.

UNCORRECTED PROOF.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 133 members voted in the affirmative and 15 in the negative.

[See Yea and Nay No. 389 in Supplement.]

Therefore the report of the committee of conference was accepted.
Sent to the Senate for concurrence.

Conference committee report accepted,—yea and nay No. 389.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to polling places in the city of Attleboro (House, No. 4618) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Attleboro,—polling places.

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

Under suspension of the rules, on motion of Mr. Hawkins of Attleboro, the bill was read a second time forthwith; and it was ordered to a third reading.

Recess.

At eight minutes before two o'clock P.M., the Chair (Mrs. Haddad of Somerset) declared a recess subject to the call of the Chair; and at a quarter after three o'clock P.M. the House was called to order with Mrs. Haddad in the Chair.

Recess.

Emergency Measure.

The engrossed Bill further regulating certain weapons (see House, No. 4670), 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.

Firearms.

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 15 to 1. 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Naughton of Clinton; and on the roll call 133 members voted in the affirmative and 15 in the negative.

Bill enacted,—yea and nay No. 390.

[See Yea and Nay No. 390 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-one minutes before four o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 2, 2018.

[72]

JOURNAL OF THE HOUSE.

Monday, July 2, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. McMurtry of Dedham in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Great and Loving God, we give You praise for this week as we celebrate our nation's independence. We pray for our legislators and for the many employees whose efforts help keep our Commonwealth on an even keel.

Prayer.

We pray in thanksgiving for the ocean waters that offer some respite from our heat wave.

We pray for our fellow citizens who suffer from this heat, especially the poor and the vulnerable.

We recognize that today marks the 29th anniversary of the name change for Manchester-by-the-Sea, a picturesque coastal town on Cape Ann in Essex County.

The name change was prompted by some residents who wished to differentiate their town from nearby Manchester, New Hampshire.

Originally incorporated in 1645, Manchester-by-the-Sea thrived as a fishing community for its first 250 years and later became a coastal community for Boston's wealthy.

We pray for Manchester-by-the-Sea's and Fourth Essex Representative Bradford Hill and his staff.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. McMurtry), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. Gordon of Bedford) congratulating Cheryl Shafman and Julie Quinn on their ten years of service with Relay For Life of Burlington; and

Cheryl Shafman and Julie Quinn.

Resolutions (filed by Mr. Sánchez of Boston) honoring Kate Nordahl on her lifetime of dedicated public service;

Kate Nordahl.

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. Smizik of Brookline, 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 Jones of North Reading and Senator Tarr, a joint petition (accompanied by bill, House, No. 4687) of Bradley H. Jones, Jr., and Bruce E. Tarr (by vote of the town) relative to town meetings of the town of North Reading. To the committee on Election Laws.

North
Reading—
town meetings.

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 4688) of Dylan Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to sell, convey or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank, Nantucket Conservation Foundation, Inc., or Sconset Trust, Inc. for the same purposes;

Nantucket,—
land.

By the same members, a joint petition (accompanied by bill, House, No. 4689) of Dylan Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to transfer, convey or otherwise dispose of a portion of certain land situated in said town held for water supply and water protection purposes for roadway purposes; and

Id.

By Representative Jones of North Reading and Senator Tarr, a joint petition (accompanied by bill, House, No. 4690) of Bradley H. Jones, Jr., and Bruce E. Tarr (by vote of the town) that the town of North Reading be authorized to amend the charter of said town to change the name of the board of selectmen;

North
Reading,—
charter.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (subject to Joint Rule 12) of Dylan Fernandes and Julian Cyr (by vote of the town) relative to authorizing the conveyance of land from the county of Nantucket and authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of said land situated in the town of Nantucket held for open space purposes.

Nantucket,—
land.

By Mr. Roy of Franklin, a petition (subject to Joint Rule 12) of Jeffrey N. Roy for legislation to establish a sick leave bank for Joseph Mele, an employee of the Department of Mental Health.

Joseph
Mele,—
sick leave.

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

Papers from the Senate.

Bills

Relative to gender identity on Massachusetts identification (Senate, No. 2562) (on Senate bill No. 2377, and also based on House, No. 4499) [Senator Humason, of the committee on Senate Ways and Means, dissenting];

Identification,—
gender identity.

To provide identification to homeless youth and families (Senate, No. 2568) (on Senate bill No. 1906);

Homeless,—
identification.

Promoting construction zone safety (Senate No. 2569) (printed in Senate No. 2217);

Construction
zones.

Providing for the abandonment of a certain water line easement in Revere and Malden (Senate, No. 2576) (on Senate bill No. 1676);

Malden
and Revere.

UNCORRECTED PROOF.

Supporting community access television (Senate, No. 2577) (on Senate bill No. 1857); and

Community access television.

To reduce traffic fatalities (Senate, No. 2584) (on Senate bill No. 2570, amended);

Traffic fatalities.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

To provide property tax exemptions for certain nonprofit senior housing in Boxford (Senate, No. 2286, amended in lines 11 and 12 by striking out the words “and approved by the commissioner of Revenue”; and by adding at the end thereof the following sentence: “The board of assessors shall establish criteria for determining whether a resident is eligible for an exemption pursuant to this act.”) (on Senate bill No. 2035);

Boxford,—
senior housing.

Authorizing the town of Wareham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2307) (on a petition) [Local Approval Received];

Wareham,—
liquor license.

Regarding transfer of retained earnings surplus in the town of Clinton (Senate, No. 2478) (on a petition) [Local Approval Received]; and

Clinton,—
surplus.

Regarding snow and ice removal, and repair of private ways in the town of Clinton (Senate, No. 2479) (on a petition) [Local Approval Received];

Clinton,—
private ways.

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 petition (accompanied by bill, Senate, No. 2579) of Adam G. Hinds and John Barrett (by vote of the town) for legislation to exempt all positions in the police department of the town of Williamstown from the civil service law, was referred, in concurrence, to the committee on Public Service.

Williamstown,—
civil service.

Reports of Committees.

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

Removal of elected financial officials for the town of Sherborn [sic] (House, No. 4533) [Local Approval Received]; and

Sherborn,—
elected officials.

Authorizing the town of Falmouth to continue the employment of police chief Edward Dunne (House, No. 4548) [Local Approval Received];

Falmouth,—
Edward Dunne.

Under suspension of Rule 7A, in each instance, on motion of Mr. Smizik of Brookline, 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 House, Nos. 9, 136, 142, 144, 145, 147, 148, 149, 150, 152, 153, 155, 156, 159, 161, 162, 163, 165, 166, 167, 168, 171, 173, 174, 176, 178, 179, 182, 183, 185, 189, 190, 192, 194, 197, 199, 200, 202, 204, 205, 206, 211, 1974, 1975, 1977, 1979, 1981, 1983, 1986, 1987, 1988, 1989, 1990, 1991, 1995, 1996, 1997, 1999, 2000, 2002, 2145, 2784, 2810, 2816, 2818, 2822, 2826, 2829, 3464, 3467, 3468, 3469, 3470, 3471, 3544, 3545, 3546, 3547, 3548, 3694, 3891, 4095 and 4140, an Order relative to authorizing the committee on Consumer

Consumer protection,—
study.

Protection and Professional Licensure to make an investigation and study of certain House documents concerning consumer protection (House, No. 4638).

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 255, 285, 290, 307, 314, 322, 329, 2012, 2015, 2045, 2050, 2051, 2066, 2839, 2845, 2849, 2878, 2883, 3482 and 3557, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents relative to education (House, No. 4678).

By the same member, for the same committee, on House, Nos. 238, 256, 267, 268, 273, 326, 2059, 2853, 2854, 3477 and 3554, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents relative to education (House, No. 4685).

By Mr. Roy of Franklin, for the committee on Health Care Financing, on House, Nos. 1139, 1186, 1226, 2470 and 2478, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning health care financing (House, No. 4681).

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 1126, 1131, 1133, 1134, 1142, 1146, 1147, 1155, 1177, 1185, 1195, 1199, 1201, 1207, 1213, 1216, 1222, 1229, 1959, 2429, 2435, 2436, 2445, 2446, 2454, 2456, 2458, 2462, 2469, 2471, 2858, 3232, 3235, 3238, 3244, 3246, 3250, 3251, 3252, 3598, 3606 and 3933, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents concerning public health (House, No. 4682).

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

Subsequently, 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. Parisella of Beverly, for the committee on Public Service, on House, No. 4504, a Bill granting certain retirement benefits to fire fighter Scott Holt (House, No. 4676) [Local Approval Received].

By Mr. Golden of Lowell, for the committee on Telecommunication, Utilities and Energy, on House, No. 1743, a Bill relative to data (House, No. 4679).

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 Stephanie Perez, an employee of the Trial Court of the Commonwealth (see House, No. 4423, 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.

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.

Public schools,
athletics,
etc.,—
study.

Standards,
curriculum,
etc.,—
study.

Prescriptions,
patient care, etc.,—
study.

Department of
Public Health,
food, death,
etc.,—
study.

Littleton,—
Scott Holt.

Cellular phones,—
location data.

Stephanie
Perez,—
sick leave.

Engrossed Bills.

Engrossed bills

Authorizing the town of Norfolk to convey certain land on Priscilla Avenue (see House, No. 4148);

Relative to certain affordable housing in the Jamaica Plain section of the city of Boston (see House, No. 4238);

Relative to the recall of elected officials in the town of Carlisle (see House, No. 4476); and

Authorizing the appointment of special police officers in the city of Springfield (see House, No. 4478);

(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.

Bills
enacted.

Orders of the Day.

The House Bill relative to polling places in the city of Attleboro (House, No. 4618), 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. Sent to the Senate for concurrence.

Third
reading
bill.

The House Bill to add law enforcement councils to the Massachusetts TORT Claims Act (House, No. 2356), was read a second time; and it was ordered to a third reading.

Second
reading
bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At fourteen minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. McMurtry of Dedham being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

UNCORRECTED PROOF.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JULY 3, 2018.

[73]

JOURNAL OF THE HOUSE.

Tuesday, July 3, 2018.

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 establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families [see House, No. 4474, amended] (for message, see House, No. 4680), was filed in the office of the Clerk on Thursday, June 28.

Maria
Benitez,—
sick leave.

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 the Governor, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Subsequently the committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the following form:—

In line 5 (as engrossed) by striking out the word “child” and inserting in place thereof the word “spouse”.

The report was accepted; and the amendment recommended by the Governor then was adopted.

The bill (see House, No. 4474, amended) then was sent to the Senate for its action.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley relative to establishing mandatory lockdown drills in public and private elementary and secondary schools.

Schools,—
lockdown
drills.

By Mr. Moran of Boston, a petition (subject to Joint Rule 12) of Michael J. Moran for the annual issuance of a proclamation by the Governor setting apart the sixteenth day of June as domestic workers’ rights day.

Domestic
workers’
rights day.

By Mr. Scaccia of Boston, a petition (subject to Joint Rule 12) of Angelo M. Scaccia relative to increasing the income tax rate and personal exemption and lowering the sales tax rate.

Taxes,—
rates.

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

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2581) of Donald F. Humason, Jr. and John W. Scibak (with approval of the mayor and city council) for legislation to authorize the acquisition of easement interests for a pumping station in the city of Easthampton; and

Easthampton,—
easement.

Petition (accompanied by bill, Senate, No. 2583) of Eric P. Lesser (by vote of the town) for legislation to authorize the town of Wilbraham to exchange a certain parcel of land held for conservation purposes;

Wilbraham,—
land.

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, Senate, No. 2586) of Anne M. Gobi and Donald R. Berthiaume, Jr. (by vote of the town) for legislation to authorize the town of Hardwick to continue the employment of fire chief Raymond Walker. To the committee on Public Service.

Hardwick,—
Raymond
Walker.

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 petition of Jeffrey N. Roy for legislation to establish a sick leave bank for Joseph Mele, an employee of the Department of Mental Health. Under suspension of the rules, on motion of Mr. McGonagle of Everett, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Joseph Mele,—
sick leave.

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

Senate bills

Authorizing the city of Westfield to categorize all certain private ways a [sic] public streets (Senate, No. 2241) [Local Approval Received];

Westfield,—
private ways.

To provide property tax exemptions for certain nonprofit senior housing in Boxford (Senate, No. 2286, amended);

Boxford,—
housing.

Authorizing the town of Wareham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2307) [Local Approval Received];

Wareham,—
liquor
license.

Regarding transfer of retained earnings surplus in the town of Clinton (Senate, No. 2478) [Local Approval Received]; and

Clinton,—
surplus.

Regarding snow and ice removal, and repair of private ways in the town of Clinton (Senate, No. 2479) [Local Approval Received]; and

Clinton,—
private ways.

House bills

Providing for equitable coverage in disability policies (House, No. 482);

Disability policies.

Authorizing the town of Whately to continue the employment of John Hannum (House, No. 4547) [Local Approval Received];

Whately,—
John Hannum.

Establishing a town manager form of government for the town of Pembroke (House, No. 4607) [Local Approval Received];

Pembroke,—
government.

Amending the charter of the town of Provincetown by adding an additional alternate member on the conservation commission (House, No. 4630) [Local

Provincetown,—
conservation

Approval Received];

Authorizing the town of Sharon to use [sic] of a certain parcel of land for general municipal purposes (House, No. 4633) [Local Approval Received]; and

Relative to a real property exemption for disabled persons in the town of Westford (House, No. 4660) [Local Approval Received];

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. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 1992 an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain House document concerning telecommunication systems (House, No. 4695). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

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 Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 4553, a Bill relative to the examination of evidence rooms and evidentiary procedures (House, No. 4686). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a joint petition, a Bill designating a certain bridge in the town of Burlington as the Lance Corporal Gregory E. MacDonald Memorial Bridge (House, No. 4569). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court of the Commonwealth (see House, No. 4423, amended) (which originated in the House), 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.

Orders of the Day.

The engrossed Bill relative to protecting the rights of custodial and other non-teaching employees of school districts (see House, No. 1390), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4556), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“Section 59B of chapter 71 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word “chapter”, in line 14,

commission.
Sharon,—
land.

Westford,—
exemption.

Telecommunication
systems,—
study.

Evidentiary
procedures.

Burlington,—
bridge.

Bill
enacted.

School districts,—
non-teaching
employees.

the following words:- ; provided, however, that in exercising their authority under this section with respect to the hiring, promotion, and termination of employees in custodial, maintenance and other non-teaching positions, principals shall act in accordance with the terms and conditions of any governing collective bargaining agreement consistent with and subject to the provisions of chapter 71 of the acts of 1993.”.

The report was accepted.

Mrs. Haddad of Somerset then moved that the amendment recommended by the Governor, as approved by the committee on Bills in the Third Reading, be amended by striking out the words “in exercising their authority under this section with respect to the hiring, promotion, and termination of employees in custodial, maintenance and other non-teaching positions, principals shall act in accordance with the terms and conditions of any governing collective bargaining agreement consistent with and subject to the provisions of chapter 71 of the acts of 1993” and inserting in place thereof the words “the promotion and discipline, up to and including termination, of employees in custodial, maintenance and other non-teaching positions shall be conducted in accordance with any governing collective bargaining agreement”. The further amendment was adopted.

The amendment recommended by the Governor, as amended, then also was adopted. Sent to the Senate for concurrence.

The House Bill relative to student driver safety (House, No. 2761), 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. Sent to the Senate for concurrence.

Third reading bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-seven minutes after eleven o’clock A.M., on motion of Mr. Hill of Ipswich (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JULY 5, 2018.

[74]

JOURNAL OF THE HOUSE.

Thursday, July 5, 2018.

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.

Appointments of the Speaker.

The Speaker announced that he had made the following appointments:

That Representatives Campbell of Methuen and D'Emilia of Bridgewater had been appointed to serve on the Madeline Amy Sweeney Award Selection Committee established (under Section 214 of Chapter 6 of the General Laws) for the purpose of selecting citizens of the Commonwealth who have displayed extraordinary courage, bravery and heroism without regard to personal safety, in an effort to save the life of another; and

Madeline Amy
Sweeney Award
selection
committee.

That Representative Ryan of Boston had been appointed to serve on the special commission established (under Chapter 298 of the Acts of 2016) to study the regulation of cutting, welding and other hot work processes.

Hot work
processes
commission.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Kulik of Worthington and Senator Hinds, a joint petition (accompanied by bill, House, No. 4703) of Stephen Kulik and Adam G. Hinds (by vote of the town) that the town of Williamsburg be authorized to continue the employment of Alan Everett and Robert Lapointe, members of the fire department of said town;

Williamsburg,—
Alan Everett and
Robert Lapointe.

By Mr. Naughton of Clinton, a petition (accompanied by bill, House, No. 4704) of Harold P. Naughton, Jr., (by vote of the town) relative to exempting the position of police chief in the town of Lancaster from the provisions of the civil service law; and

Lancaster,—
police chief.

By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 4705) of Paul Tucker and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to appoint retired Salem police officers as special police officers in said city;

Salem,—
special police
officers.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Representative Mark of Peru and Senator Gobi presented a joint petition (subject to Joint Rule 12) of Paul W. Mark, Anne M. Gobi and Susannah M. Whipps relative to the financial condition of the Pioneer Valley Regional School

Pioneer Valley
school district.

District; and the same was referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until July 24, 2018, within which time to make its final report on current Senate document numbered 2544, relative to sexually dangerous persons.

Judiciary committee,—
extension of time for reporting.

Under suspension of the rules, on motion of Ms. Decker of Cambridge, the order (Senate, No. 2578) was considered forthwith.

Pending the question on adoption of the order, in concurrence, Mr. Jones of North Reading moved to amend it in line 2 by striking out the number “24” and inserting in place thereof the number “17”; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence in the amendment.

Reports of Committees.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4377, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain House document concerning alcohol licensing (House, No. 4693).

Alcohol licensing,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 4257, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning education (House, No. 4692).

Foxborough charter school reimbursement,—
study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, Nos. 1249, 2492 and 3264, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety (House, No. 4691).

Electronic weapons,—
study.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House No. 4410, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain House document concerning land conveyance in Dalton (House, No. 4694).

Dalton land conveyance,—
study.

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

Subsequently, 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. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill relative to economic development in the

Economic development.

UNCORRECTED PROOF.

Commonwealth (House, No. 4592), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4702) [Bond Issue: General Obligation Bonds: \$690,750,000.00]. Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Galvin of Canton, for said committees, reported that the foregoing bill ought to pass. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4573).

Bonding terms.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4668).

Id.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4669).

Id.

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

Orders of the Day.

The House Bill authorizing the city of Cambridge to use certain land used for open recreational purposes for traffic reconfiguration (House, No. 4634), 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.

Third reading bill.

The House Bill relative to child-centered family law (House, No. 3090), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Child-centered family law.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 3, in line 145; in section 5, in line 153; in section 7, in line 161; and in section 15, in line 187, by striking out, the word “sole” and inserting in place thereof, in each instance, the word “primary”.

The amendments were adopted; and the bill (House, No. 3090, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

At eight minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 9, 2018.

[75]

JOURNAL OF THE HOUSE.

Monday, July 9, 2018.

Met at seven minutes after 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice and Might, we give thanks today for our dedicated public servants. We pray for them and their staff as they continue to work on legislation that demands cooperation and generosity of spirit.

Prayer.

Today we pray in thanksgiving for native son Elias Howe who was born on this day in Spencer 199 years ago.

Howe earned a U.S. patent in 1846 for the lockstitch sewing machine.

What made Howe's invention unique was that he inverted the eye of the needle; this along with a shuttle operating beneath the cloth and an automatic feeding device for the thread.

There were other sewing machines at the time, but none advanced the production of stitch work as did Howe's machine. He successfully defended his patent against Isaac Singer whose machine utilized Howe's invention. The lawsuit victory and the subsequent royalties paid to him made Elias Howe a millionaire in the 1850's. He shared much of his wealth with the Union Army, specifically in providing materials for regiments from Connecticut.

Howe also invented the "automatic continuous clothing closure", now known as the zipper, but he never manufactured the invention.

May God continue to bless our Commonwealth.

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 relative to the membership of the Millbury Redevelopment Authority [see House, No. 1101] (for message, see House, No. 4712), was filed in the office of the Clerk on Thursday, July 5.

Millbury
Redevelopment
Authority.

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 the Governor, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Resolution.

Resolutions (filed with the Clerk by Ms. Peake of Provincetown) honoring Andrea (Andi) Genser for her years of service to *We Can* and to the community, were referred under Rule 85, to the committee on Rules.

Andrea
Genser.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Smizik of Brookline, 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 Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 4717) of Dylan Fernandes (by vote of the town) that the town of Nantucket be authorized to sell, convey or otherwise dispose of a portion of land currently held for cemetery purposes in said town; and

Nantucket,—
land.

By Representative Rogers of Norwood and Senator Rush, a joint petition (accompanied by bill, House, No. 4718) of John H. Rogers and Michael F. Rush (by vote of the town) relative to the membership of the representative town meeting of the town of Norwood;

Norwood,—
town meeting.

Severally to the committee on Municipalities and Regional Government.

By Mr. Mariano of Quincy, a petition (accompanied by bill, House, No. 4719) of Ronald Mariano and others (with the approval of the mayor and city council) relative to disability retirement benefits for certain public safety personnel in the city of Quincy. To the committee on Public Service.

Quincy,—
retirement
benefits.

By the same member, a petition (accompanied by bill, House, No. 4720) of Ronald Mariano and others (with the approval of the mayor and city council) that the city of Quincy be authorized to grant abatements of certain real estate taxes to Kristin and Sean Healy of said city. To the committee on Revenue.

Quincy,—
Kristin
and Sean
Healy.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Miss Garry of Dracut, a petition (subject to Joint Rule 12) of Colleen M. Garry relative to fees assessed by the Dracut Water Supply District.

Dracut,—
fees.

By Ms. Tyler of Boston, a petition (subject to Joint Rule 12) of Chynah Tyler for legislation to authorize the Department of Conservation and Recreation to designate a certain water spray deck park within the Melnea A. Cass Recreation Complex in the Roxbury section of the city of Boston as the Nakioka “Kiki” Taylor water deck.

Roxbury,—
Taylor
water deck.

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

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until July 18, 2018, within which time to make its final

Revenue
committee,—

report on a certain current Senate document numbered 2532, relative to senior tax relief (Senate, No. 2587).

extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the order was considered forthwith; and it was adopted, in concurrence.

Bills

Establishing a sick leave bank for Norma Jean Silvia, an employee of the Trial Court of the Commonwealth (Senate, No. 2572) (on a petition); and

Norma Jean
Silvia,— sick leave.

Providing for recall elections in the town of Uxbridge (Senate, No. 2589) (on Senate bill No. 2069) [Local Approval Received];

Uxbridge,—
elections.

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.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to economic development in the Commonwealth [House, No. 4592] (for order, see House, No. 4711). The order was considered forthwith; and it was adopted.

Economic
development,—
procedures.

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 Jonathan D. Zlotnik for legislation to establish a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services. To the committee on Public Service.

Elizabeth
Kendall,—
sick leave.

Petition (accompanied by bill) of James Sullivan relative to the use of community preservation funds for the acquisition of artificial turf for athletic fields. To the committee on Revenue.

Artificial
turf.

Petition (accompanied by bill) of Michael J. Moran for the annual issuance of a proclamation by the Governor setting apart the sixteenth day of June as domestic workers' rights day. To the committee on State Administration and Regulatory Oversight.

Domestic
workers'
rights day.

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

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 226, 232, 244, 250, 300, 310, 311, 2037 and 2064, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education (House, No. 4706).

Transportation,
homeless students,
etc.,—
study.

By the same member, for the same committee, on House, Nos. 3926 and 3984, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education (House, No. 4707).

Early literacy,
health education,
etc.,—
study.

By the same member, for the same committee, on House, Nos. 231, 239, 241, 245, 247, 254, 259, 274, 277, 308, 309, 316, 323, 2011, 2025, 2026, 2028, 2042, 2048, 2054, 2062, 2065, 2840, 2863, 2865, 2876, 2879, 3478, 3747 and 3879, an Order relative to authorizing the committee on Education to make an investigation

Charter schools,
etc.,—
study.

and study of certain House documents concerning education (House, No. 4716).

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, Nos. 1970 and 4058, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents concerning labor and workforce development (House, No. 4708).

Business entities,
contracts,
etc.,—
study.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on House Nos. 1060, 1061, 3205 and 3508, an Order relative to authorizing the committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain House documents concerning mental health, substance use and recovery (House, No. 4710).

Services,
assessments,
etc.,—
study.

By Mr. Parisella of Beverly, for the committee on Public Service, on House, Nos. 4365, 4402 and 4425, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning retirement and pension matters (House, No. 4709).

Divestment,
etc.,—
study.

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

Subsequently, 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. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission (House, No. 4653). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Carol
Poladian,—
sick leave

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to economic development in the Commonwealth (House, No. 4592), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4714) [Bond Issue: General Obligation Bonds: \$666,250,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution a bill with the same title (House, No. 4702),— and the amendment recommended by the committee on Ways and Means pending.

Economic
development.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading with the amendments pending.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (see House, No. 4474, 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.

Maria
Benitez,—
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 7 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) (which had been returned by His Excellency the Governor with recommendation of amendment) 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.

The engrossed Bill establishing a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services (see House, No. 4509), 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.

Sandra
Elizabeth
Smith,—
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 7 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Robert F. Dunphy, Jr., an employee of the Trial Court of the Commonwealth (see House, No. 4583), 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.

Robert
Dunphy,—
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 7 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Relative to the charter of the town of Eastham (see House, No. 2423);

Relative to the tenure of office of the city clerk of the city of Revere (see House, No. 4369); and

Increasing the annual compensation of the Peabody Municipal Light Plant commissioners (see House, No. 4447, 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.

Bills
enacted.

Orders of the Day.

The House Bill relative to the transfer of an easement under the control of the Department of Conservation and Recreation in the city of Lynn (House, No. 4268, changed) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

UNCORRECTED PROOF.

The House Bill designating United States highway Route 20 as a state historic highway (House, No. 4022) was read a third time.

Historic
highways.

The committee on Bills in the Third Reading reported recommending that the bill be consolidated with the House Bill to historic route designations (House No. 4155), likewise referred to said committee, and substituting therefor a Bill designating certain highways as state historic highways (House, No. 4713), 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. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven minutes after eleven o'clock A.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

UNCORRECTED PROOF.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JULY 10, 2018.

[76]*

JOURNAL OF THE HOUSE.

Tuesday, July 10, 2018.

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 Prayer.

During the session (Mrs. Haddad of Somerset being in the Chair), at the request of the Chair, the members, guests and employees stood in a moment of silent tribute to the memory of long-time Hampden County Registrar of Deeds Donald E. Ashe, the father of Representative Brian M. Ashe, who passed away this morning, at the age of 83.

Donald E.
Ashe.

A Springfield native, Registrar Ashe was a graduate of Cathedral High School, Cornwall Academy and the University of Massachusetts Institute of Government Services.

He served as Registrar of Deeds in Hampden County for over 35 years. He worked as the director of relocation services and property manager for the Springfield Redevelopment Authority before becoming Registrar.

Statement Concerning Representative Rogers of Norwood.

A statement of Mrs. Haddad of Somerset concerning Mr. Rogers of Norwood was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Rogers of Norwood, is unable to be present in the House Chamber for today's sitting due to personal reasons. His missing of roll calls today and for the remainder of the week is due entirely to the reason stated.

Statement
concerning
Mr. Rogers
of Norwood.

Petitions.

Representative Fernandes of Falmouth and Senator Cyr presented a joint petition (accompanied by bill, House, No. 4727) of Dylan Fernandes and Julian Cyr (by vote of the town) that the town of Oaks Bluff be authorized to further regulate the rental of mopeds and motor scooters in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Oak Bluffs,—
motorized
scooters.

A petition (subject to Joint Rule 9) of Adrian Madaro for legislation to exempt a certain parcel of land in the East Boston section of the city of Boston from any

East Boston,—
designated
port area.

designated port area (having been returned by the State Secretary with a letter stating that the petitioner had failed to file proof of notice of publication), was placed on file.

Paper from the Senate.

A petition of Viriato M. deMacedo and David T. Vieira for legislation to authorize the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company d/b/a Eversource Energy in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Bourne,—
NSTAR
easements.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2593) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill for prevention and access to appropriate care and treatment of addiction [House, No. 4470] (for order, see House, No. 4722). The order was considered forthwith; and it was adopted.

Addiction
treatment,—
procedures.

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:

Joint petition (accompanied by bill) of Paul W. Mark, Anne M. Gobi and Susannah M. Whipps relative to the financial condition of the Pioneer Valley Regional School District. To the committee on Education.

Pioneer Valley
Regional School
District.

Petition (accompanied by bill) of Shawn Dooley for legislation to establish a commission (including members of the General Court) to investigate the advertising practices of the solar energy industry. To the committee on Telecommunications, Utilities and Energy.

Solar
industry,—
advertising.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Norma Jean Silva, an employee of the Trial Court of the Commonwealth (Senate No. 2572), be scheduled for consideration by the House.

Norma Jean
Silva,—
sick leave.

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

Subsequently, under suspension of the rules, on motion of Ms. Gifford of Wareham, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and

UNCORRECTED PROOF.

Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill providing for recall elections in the town of Uxbridge (Senate, No. 2589) [Local Approval Received]; and

Uxbridge,—
elections.

House bills

Amending the charter of the town of Stoneham to change the name of the board of selectmen (House, No. 4629) [Local Approval Received];

Stoneham,—
charter.

Establishing a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission (House, No. 4653); and

Carol Poladian,—
sick leave.

Authorizing the town of Andover to establish a means-tested senior citizen property tax exemption (House, No. 4661) [Local Approval Received];

Andover,—
exemption.

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

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 270, 291, 294, 297, 298, 2052, 2055, 2057, 2856, 2881, 2882, 3476 and 3483, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning education (House, No. 4723).

Special
education,
etc.,—
study.

By the same member, for the same committee, on House, No. 4378, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning health and personnel (House, No. 4724).

School resource
officers,—
study.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, Nos. 869, 873, 980, 2263, 2277, 2348, 2354, 3027, 3083, 3584, 3835, 3904, 4142, 4322, 4323 and 4338, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the judiciary (House, No. 4721).

Judiciary,—
study.

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

Subsequently, 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.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill establishing a sick leave bank for Keri Volk, an employee of the Department of Correction (House, No. 4616), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Zlotnik of Gardner; and it was passed to be engrossed. Sent to the Senate for concurrence.

Keri Volk,—
sick leave.

Recess.

At the eight minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at one minute before one o'clock P.M., the House was

Recess.

called to order with Mr. Donato in the Chair.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to effective resource allocation in schools [House, No. 2871] (for order, see House, No. 4726). The order was considered forthwith; and it was adopted.

School
funding,—
procedures.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill for prevention and access to appropriate care and treatment of addiction (House, No. 4470), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4725). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Addiction,—
treatment.

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

Under suspension of Rule 7A, on motion of Ms. Garlick of Needham, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Recess.

At the three minutes after one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock; and at eighteen minutes before two o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Mariano of Quincy, Roy of Franklin, Hunt of Sandwich, Cronin of Easton, Lawn of Watertown and DeCoste of Norwell, during conference committee negotiations during today's session.

Health care
and veterans
bills conferees,—
voting.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to effective resource allocation in schools (House, No. 2871), ought to pass with an amendment substituting therefor a Bill relative to findings of the foundation budget review commission (House, No. 4730). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Schools,—
funding.

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

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee

on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (House, No. 4635), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Salem,—
land.

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

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

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Boylston to convey a certain parcel of land (see House, No. 4197) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Boylston,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 145 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 391.

[See Yea and Nay No. 391 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motion to Discharge a Certain Matter in the Orders of the Day.

Prior to the noon recess, the House Bill relative to economic development in the Commonwealth (House, No. 4592), was discharged from its position in the Orders of the Day, and read a second time forthwith, under suspension of Rule 47, on motion of Mr. Wagner of Chicopee.

Economic
development,—
bonding.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— that the bill be amended by substitution of a bill with the same title (House, No. 4702),— was rejected.

The amendment previously recommended by the committee on Way and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4714),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Wagner of Chicopee, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Messrs. Roy of Franklin and Murray of Milford moved to amend it by adding the following six sections:

“SECTION 54. Notwithstanding any general or special law to the contrary, for the days of August 11, 2018 and August 12, 2018, an excise shall not be

imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications services, tobacco products subject to the excise imposed by chapter 64C of the General Laws, marijuana or marijuana products subject to the excise tax imposed by chapter 64H of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION 55. Notwithstanding any general or special law to the contrary, for the days of August 11, 2018 and August 12, 2018, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 11, 2018 and August 12, 2018. An excise erroneously or improperly collected during the days of August 11, 2018 and August 12, 2018, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications services, tobacco products subject to the excise imposed by chapter 64C of the General Laws, marijuana or marijuana products subject to the excise tax imposed by chapter 64H of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION 56. Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 11, 2018 and August 12, 2018.

SECTION 57. On or before December 31, 2018, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, without this act.

SECTION 58. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

SECTION 59. Eligible sales at retail of tangible personal property under sections 1 and 2 are restricted to those transactions occurring on August 11, 2018 and August 12, 2018. Transfer of possession of or payment in full for the property shall occur on 1 of those days, and prior sales or layaway sales shall be ineligible.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Roy of Franklin; and on the roll call 127 members voted in the affirmative and 18 in the negative.

[See Yeas and Nays No. 392 in Supplement.]

Therefore the amendment was adopted.

Mr. Brodeur of Melrose then moved to amend the bill by striking out section 9 and inserting in place thereof the following section:

“SECTION 9. Subsection (b) of section 2RR of chapter 29 of the General Laws, as so appearing, is hereby amended by inserting after paragraph (2) the following paragraph:-

‘(3) To supplement the training of unemployed and underemployed workers as provided for in section 2WWW by providing grants for pipeline training for

Amendment
adopted,—
yeas and nays
No. 392.

unemployed persons by an employer with a job vacancy, an employer association, local workforce investment board, labor organization, community-based organization, including an adult basic education provider, institution of higher education, vocational education institution, one-stop career center, local workforce development entity, or a nonprofit education, training or other service provider; provided, however, that the director shall not allocate more than 5 per cent of the annual capitalization of the fund to provide for such grants. In determining grant recipients, the director shall contract with the Commonwealth Corporation to distribute the grants in a need-based, competitive process in accordance with the rules and parameters outlined in section 2WWW. The grants shall be performance based and 50 per cent funded upon enrollment in the program, with the balance to be paid contingent upon job placement and retention outcomes that demonstrate placement of a participant in a training-related position requiring not less than 30 hours per week for not less than 2 months.’”; and

By striking out section 22 and inserting in place thereof the following section:

“SECTION 22. Section 14L of chapter 151A of the General Laws, as so appearing, is hereby amended by inserting after subsection (b) the following subsection:-

‘(c) Annually, not later than September 1 of each year, the director of the department of career services shall file a report with the joint committee on labor and workforce development and the house and senate committees on ways and means concerning the collection of the workforce training contributions, pursuant to subsection (a), during the calendar year ending on the preceding December 31. The report shall include, but not be limited to, (1) the amount collected in each quarter and the total amount collected for the year; (2) the total number of employers that contributed to the fund and the total number of employees employed by that group of employers; and (3) the contribution rate, to the extent it differs from 0.056 per cent.’”.

The amendments were adopted.

Ms. Ferrante of Gloucester and other members of the House then moved to amend the bill by adding the following section:

“SECTION 60. Section 6 of Chapter 62 of the General Laws, as appearing in the 2008 Official Edition, is amended by adding the following section:-

Section 38DD. There shall be established a live theater tax credit program under which a live theater company doing business with a Massachusetts based theater venue, theater company, theater presenter or producer may be eligible. The credit may be claimed against the taxes due pursuant to this chapter. The credit shall be established to support the expansion of pre-Broadway, National Tour launches of Broadway shows and pre off-Broadway live theater and Broadway tour launches and shall assist in the development of long run show development and growth.

(a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

‘Commissioner’, the commissioner of revenue.

‘Eligible theater production’ means a live stage musical, dance or theatrical production or tour being presented in a qualified production facility, as defined in this chapter that is either: (a) a Pre-Broadway production, or (b) a pre off-Broadway production, or (c) a National Tour Launch.

‘Eligible theater production certificate’ means a certificate issued by the Massachusetts Office of Travel and Tourism certifying that the production is an eligible theater production that meets the guidelines of this chapter.

‘Advertising and public relations expenditure’ means costs incurred within the state by the Eligible theater productions for goods or services related to the marketing, public relations, creation and placement of print, electronic, television, billboards and other forms of advertising to promote the Eligible theater production.

‘Office’ means the Massachusetts office of travel and tourism.

‘Payroll’ means all salaries, wages, fees, and other compensation wages including, but not limited to, taxes, benefits, and any other consideration incurred or paid to talent and non-talent employees of the applicant for services rendered to and on behalf of an eligible theater production. The expenditure shall be incurred or paid by the applicant for services related to any portion of an eligible theater production from its pre-production stages, including, but not limited to, (a) the writing of the script, (b) casting, (c) hiring of service providers, (d) purchases from vendors, (e) marketing, (f) advertising, (g) public relations, (h) load in, (i) rehearsals, (j) performances, (k) other Eligible theater production related activities (l) load out; provided further, said labor expenditure shall be directly attributable to the eligible theater production and shall be limited to the first \$100,000 of wages incurred or paid to each employee of an eligible theater production in each tax year.

‘Pre-Broadway Production’ means a live stage production that, in its original or adaptive version, is performed in a qualified production facility having a presentation scheduled for New York City’s Broadway theater district within (24) months after its Massachusetts presentation.

‘Pre-Off Broadway Production’ means a live stage production that, in its original or adaptive version, is performed in a qualified production facility having a presentation scheduled for New York City’s Off-Broadway’s theater district within (24) months after its Massachusetts presentation.

‘National Tour Launch’ means a live stage production that, in its original or adaptive version, is performed in a qualified production facility and opens its National tour in Massachusetts.

‘Production and Performance Expenditures’ means a contemporaneous exchange of cash or cash equivalent for goods or services related to development, production, performance or operating expenditures incurred in this state for a qualified theater production including, but not limited to, expenditures for design, construction and operation, including sets, special and visual effects, costumes, wardrobes, make-up, accessories, costs associated with sound, lighting, staging, payroll, transportation expenditures, advertising and public relations expenditures, facility expenses, rentals, per diems, accommodations and other related costs.

‘Qualified Production Facility’ means a facility located in the State of Massachusetts in which live theatrical productions are, or are intended to be, exclusively presented that contains at least one stage, a seating capacity of one hundred seventy five (175) or more seats, and dressing rooms, storage areas, and other ancillary amenities necessary for the Eligible theater production.

‘Massachusetts Office of Travel and Tourism’ means the office within the secretariat of economic development that has been established in order to market Massachusetts as a leisure travel destination in order to generate state and local tax revenues, create jobs, and support travel-related businesses.

‘Transportation expenditures’ means expenditures for the packaging, crating, and transportation both to the state for use in a qualified theater production of sets, costumes, or other tangible property constructed or manufactured out of state, and/or from the state after use in a qualified theater production of sets, costumes, or

other tangible property constructed or manufactured in this state and the transportation of the cast and crew to and from the state. Such term shall include the packaging, crating, and transporting of property and equipment used for special and visual effects, sound, lighting, and staging, costumes, wardrobes, make-up and related accessories and materials, as well as any other performance or production-related property and equipment.

(b) Any person, firm, partnership, trust, estate or other entity that receives an eligible theater production certificate shall be allowed a tax credit equal to thirty-five percent (35%) of the total in state labor costs and twenty-five percent (25%) of the production and performance expenditures and transportation expenditures as well as all out of state labor costs for the eligible theater production and to be computed as provided in this chapter against a tax imposed by this chapter. Said credit shall not exceed five million dollars (\$5,000,000) and shall be limited to certified production cost directly attributable to activities in the state and transportation expenditures defined above. The total production budget shall be a minimum of one hundred thousand dollars (\$100,000).

(c) No more than five million dollars (\$5,000,000) in total may be issued for any tax year for musical and theatrical production tax credits pursuant to this chapter.

(d) The tax credit shall be allowed against the tax for the taxable period in which the credit is earned and can be carried forward for not more than five (5) succeeding tax years.

(e) Credits allowed to a company, which is a subchapter S corporation, partnership, or a limited liability company that is taxed as a partnership, shall be passed through respectively to persons designated as partners, members or owners of such companies on a pro rata basis or pursuant to an executed agreement among such persons designated as subchapter S corporation shareholders, partners, or members documenting an alternate distribution method without regard to their sharing of other tax or economic attributes of such entity.

(f) If the company has not claimed the tax credits in whole or part, taxpayers eligible for the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or otherwise to any individual or entity and such assignee of the tax credits that have not claimed the tax credits in whole or part may assign, transfer or convey the tax credits, in whole or in part, by sale or otherwise to any individual or entity. The assignee of the tax credits may use acquired credits to offset up to one hundred percent (100%) of the tax liabilities otherwise imposed pursuant to this chapter. The assignee may apply the tax credit against taxes imposed on the assignee for not more than three (3) succeeding tax years. The assignor shall perfect the transfer by notifying the commissioner of revenue, in writing, within thirty (30) calendar days following the effective date of the transfer and shall provide any information as may be required by the commissioner to administer and carry out the provisions of this section.

(g) For purposes of this chapter, any assignment or sales proceeds received by the assignor for its assignment or sale of the tax credits allowed pursuant to this section shall be exempt from this title.

(h) In the case of a corporation, this credit is only allowed against the tax of a corporation included in a consolidated return that qualifies for the credit and not against the tax of other corporations that may join in the filing of a consolidated tax return, provided, however, that in the case of a corporation that files a consolidated return with one or more other corporations with operations in Massachusetts, the credit will be allowed to be included in a consolidated return with respect to such

corporations with operations in Massachusetts only.

(i) The applicant or applicants shall properly prepare, sign and submit to the Massachusetts office of travel and tourism an application for initial certification of the theater production. The application shall include such information and data as the office deems reasonably necessary for the proper evaluation and administration of said application, including, but not limited to, any information about the theater production company or their related partners/presenters and a specific Massachusetts live theater or musical production. The office shall review the completed applications and determine whether it meets the requisite criteria and qualifications for the initial certification for the production and/or presentation. If the initial certification is granted, the office shall issue a notice of initial certification of the eligible theater production and/or presentation to the theater production company, co-producer or presenter and to the commissioner. The notice shall state that, after appropriate review, the initial application meets the appropriate criteria for conditional eligibility. The notice of initial certification will provide a unique identification number for the production/presentation and is only a statement of conditional eligibility for the production/presentation and, as such, does not grant or convey any Massachusetts tax benefits.

(j) Upon completion of an eligible theater production, the applicant or applicants shall properly prepare, sign and submit to the office an application for final certification of the eligible theater production. The final application shall also contain a cost report and an ‘accountant’s certification.’ The office and commissioner may rely without independent investigation, upon the accountant’s certification, in the form of an opinion, confirming the accuracy of the information included in the cost report. Upon review of a duly completed and filed application and upon no later than thirty (30) days of submission thereof, the commissioner will make a determination pertaining to the final certification of the eligible theater production and the resultant tax credits.

(k) Upon determination that the company qualifies for final certification and the resultant tax credits, the commissioner shall issue to the company: (1) an eligible theater production certificate; and (2) a tax credit certificate in an amount in accordance with this section (b) hereof. A musical and theatrical production company is prohibited from using state funds, state loans or state guaranteed loans to qualify for the live theater infrastructure tax credit. All documents that are issued by the office pursuant to this section shall reference the identification number that was issued to the production as part of its initial certification.

(l) The Massachusetts office of travel and tourism, in consultation as needed with the commissioner of revenue, shall promulgate such rules and regulations as are necessary to carry out the intent and purposes of this chapter in accordance with the general guidelines provided herein for the certification of the production and the resultant production credit.

(m) If information comes to the attention of the Massachusetts Office of Travel and Tourism that is materially inconsistent with representations made in an application, the office may deny the requested certification. In the event that tax credits or a portion of tax credits are subject to recapture for ineligible costs and such tax credits have been transferred, assigned and/or allocated, the state will pursue its recapture remedies and rights against the applicant of the theater production tax credits. No redress shall be sought against assignees, sellers, transferees or allocates of such credits.

(n) No credits shall be issued on or after January 1, 2021 unless the production has received initial certification under this section prior to January 1, 2021.”

The amendment was adopted.

Mr. Nangle of Lowell then moved to amend the bill by adding the following section:

“SECTION 61. Section 12 of chapter 172 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the words ‘residents therein’, in line 4, the following words: - ; provided, however, upon application in writing by a bank engaged in a global custody business, the commissioner may waive or modify this requirement and may take into consideration factors including, but not limited to, the impact on the safety and soundness of the bank, or the current or prospective board composition and their expertise, experience and qualifications”.

The amendment was adopted.

Mr. Kulik of Worthington and other members of the House then moved to amend the bill by adding the following two sections:—

SECTION 62. Chapter 63 of the General Laws is hereby amended by inserting after section 38FF the following section:-

Section 38GG. (a) The purpose of this section shall be to attract capital investment to businesses in rural areas of the commonwealth in order to promote the retention and expansion of existing jobs, stimulate the creation of new jobs, and attract new business and industry to rural areas of the commonwealth.

(b) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Affiliate”, an entity that directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with another entity. An entity is “controlled by” another entity if: (i) the controlling entity holds, directly or indirectly, the majority voting or ownership interest in the controlled entity; or (ii) has control over the day-to-day operations of the controlled entity by contract or by law.

“Closing date”, the date on which a rural growth fund has collected all of the amounts specified by subsection (c).

“Credit-eligible capital contribution”, an investment of cash by a person subject to tax under this chapter in a rural growth fund that equals the amount specified on a tax credit certificate issued by the MOBD under paragraph (5) of subsection (c) of this section; provided, however, that the investment shall purchase an equity interest in the rural growth fund or purchase, at par value or premium, a debt instrument that has a maturity date at least 5 years from the closing date.

“MOBD”, the Massachusetts office of business development established in section 3A of Chapter 23A.

“Investment authority”, the amount stated on the notice issued under paragraph (5) of subsection (c) of this section certifying the rural growth fund; provided, however, that at least 60 per cent of a rural growth fund’s investment authority shall be comprised of credit-eligible capital contributions.

“Jobs created”, newly created positions of employment that were not previously located in the commonwealth at the time of the initial rural growth investment in the rural business concern and that require a minimum of 35 hours worked each week, measured each year by subtracting the number of employment positions at the time of the initial rural growth investment in the rural business concern from the monthly average of employment positions for the applicable year. The monthly average shall be calculated by adding together the number of employment positions existing on the last day of each month of the applicable year

and dividing by 12. Such number shall not be less than zero.

“Jobs retained”, positions requiring a minimum of 35 hours worked each week that existed prior to the initial rural growth investment. Retained jobs shall be counted each year based on the monthly average of employment positions for the applicable year. The monthly average shall be calculated by adding together the number of employment positions existing on the last day of each month of the applicable year and dividing by 12. Such number shall not exceed the initial amount of retained jobs reported and shall be reduced each year if employment at the rural business concern drops below such number.

“Principal business operations”, the principal operations of a business are located at the place or places where at least 60 per cent of its employees work or where employees that are paid at least 60 per cent of its payroll work; provided, however, that an out-of-state business that has agreed to relocate employees using the proceeds of a rural growth investment to establish its principal business operations in a rural area in the commonwealth shall be deemed to have its principal business operations in this new location if it satisfies this definition within 180 days after receiving the rural growth investment, unless the MOBD agrees to a later date.

“Rural area”, an area not in a city or town that has a population of more than 50,000 according to the latest decennial census of the United States or in the urbanized area contiguous and adjacent to a city or town that has a population of more than 50,000 inhabitants; or any area determined to be “rural in character” by the under-secretary of agriculture for rural development within the United States department of agriculture.

“Rural business concern”, a business that, at the time of the initial investment in the company by a rural growth fund: (i) has less than 250 employees and not more than \$10,000,000 in revenue for the preceding taxable year; (ii) has its principal business operations in one or more rural areas in the commonwealth; and (iii) is engaged in industries related to manufacturing, plant sciences, services or technology or, if not engaged in such industries, the MOBD makes a determination that the investment will be highly beneficial to the economic growth of the commonwealth.

“Rural growth fund”, an entity certified by the MOBD under subsection (c).

“Rural growth investment”, any capital or equity investment in a rural business concern or any loan to a rural business concern with a stated maturity at least one year after the date of issuance.

(c)(1) The MOBD shall accept applications for approval as a rural growth fund; provided, however, that the application shall include:

(i) the total investment authority sought by the applicant under the business plan;

(ii) the following documents and other evidence:

(A) a copy of the applicant’s or an affiliate of the applicant’s license as a rural business investment company under 7 U.S.C. 2009cc, or as a small business investment company under 15 U.S.C. 681; and

(B) evidence sufficient to prove, to the satisfaction of the MOBD, that as of the date the application is submitted, the applicant or affiliates of the applicant have invested at least \$100,000,000 in non-public companies located in rural areas;

(iii) an estimate of the number of jobs created and jobs retained in the commonwealth as a result of the applicant’s rural growth investments;

(iv) a business plan that includes a revenue impact assessment projecting state and local tax revenue to be generated by the applicant’s proposed rural growth

investments prepared by a nationally recognized third-party independent economic forecasting firm using a dynamic economic forecasting model that analyzes the applicant's business plan over the 10 years following the date the application is submitted to the MOBD;

(v) a signed affidavit from each investor stating the amount of credit-eligible capital contributions each taxpayer commits to make; and

(vi) a non-refundable application fee of \$5,000.

(2) The MOBD shall make an application determination within 30 days of receipt in the order in which the applications are received. The MOBD shall deem applications received on the same day to have been received simultaneously. The MOBD shall not approve more than \$200,000,000 in investment authority and not more than \$120,000,000 in credit-eligible capital contributions under this section. If a request for investment authority exceeds this limitation, the MOBD shall reduce the investment authority and the credit-eligible capital contributions for that application as necessary to avoid exceeding the limit. If multiple applications received on the same day request a combined investment authority that exceeds this limitation, the MOBD shall proportionally reduce the investment authority and the credit eligible capital contributions for those applications as necessary to avoid exceeding the limit.

(3) The MOBD shall deny an application submitted under this section if any of the following are true:

(i) the application is incomplete or the application fee is not paid in full;

(ii) the applicant does not satisfy all the criteria described in clause (ii) of paragraph (1) of this subsection;

(iii) the revenue impact assessment submitted under clause (iv) of paragraph (1) of this subsection does not demonstrate that the applicant's business plan will result in a positive economic impact on the commonwealth over a 10-year period that exceeds the cumulative amount of tax credits that would be issued to the applicant's investors under subsection (d) of this section if the application were approved;

(iv) the credit-eligible capital contributions described in affidavits submitted under clause (v) of paragraph (1) of this subsection do not equal at least 60 per cent of the total amount of investment authority sought under the applicant's business plan; or

(v) the MOBD has already approved the maximum amount of investment authority and credit eligible capital contributions allowed under paragraph (2) of this subsection.

(4) If the MOBD denies an application, the applicant may provide additional information to the MOBD to complete, clarify, or cure defects in the application identified by the MOBD within 15 days of the notice of denial for reconsideration and determination. If the applicant completes, clarifies or cures its application within 15 days after the date of the notice of denial, the application must be considered complete as of the original date of submission. If the applicant fails to provide the information to complete, clarify or cure its application within the 15-day period, the application remains denied and must be resubmitted in full with a new date of submission. The MOBD shall review and reconsider such applications within 30 days and before any pending application submitted after the original submission date of the reconsidered application.

(5) The MOBD shall not deny a rural growth fund application or reduce the requested investment authority for reasons other than those described in paragraphs (2) and (3) of this subsection. Upon approval of an application, the MOBD shall

provide a written approval to the applicant as a rural growth fund specifying the amount of the applicant's investment authority and a tax credit certificate to each investor whose affidavit was included in the application specifying the amount of the investor's credit-eligible capital contribution.

(6) After receiving the approval issued under paragraph (5) of this subsection, a rural growth fund shall:

(i) within 60 days:

(A) collect the credit-eligible capital contributions from each taxpayer issued a tax credit certificate under paragraph 5 of this subsection, and

(B) collect one or more investments of cash that, when added to the contributions collected under clause (A) of this paragraph, equal the rural growth fund's investment authority; provided, however, that at least 10 per cent of the rural growth fund's investment authority shall be comprised of equity investments contributed by affiliates of the rural growth fund, including employees, officers, and directors of such affiliates; and

(ii) within 65 days, send to the MOBD documentation sufficient to prove that the amounts described in clause (i) of this paragraph have been collected.

(7) If the rural growth fund fails to fully comply with paragraph (6) of this subsection, the rural growth fund's approval shall lapse and the corresponding investment authority and credit-eligible capital contributions under paragraph (6) will not count toward the limits on the program size prescribed by paragraph (2) of this subsection. The MOBD shall first award lapsed investment authority pro rata to each rural growth fund that was awarded less than the requested investment authority under said paragraph (2) which a rural growth fund may allocate to its investors in its discretion. Any remaining investment authority may be awarded by the MOBD to new applicants.

(8) Application fees submitted to the MOBD under clause (vi) of paragraph (1) of this subsection shall be credited to the Massachusetts rural jobs fund, which is hereby created, and used by the MOBD to administer the provisions of this section.

(d)(1) There is hereby allowed a nonrefundable tax credit for taxpayers that made a credit-eligible capital contribution to a rural growth fund and were issued a tax credit certificate under paragraph 5 of subsection (c) of this section. The credit may be claimed against the tax imposed by this chapter. The credit may not be sold, transferred or allocated to any other entity other than an affiliate subject to the tax imposed by this chapter.

(2) On the closing date, the taxpayer shall earn a vested credit equal to the amount of the taxpayer's credit-eligible capital contribution to the rural growth fund as specified on the tax credit certificate. The taxpayer may claim up to 25 per cent of the credit authorized under this subsection for each of the taxable years that includes the third through sixth anniversaries of the closing date, exclusive of amounts carried forward pursuant to paragraph 3 of this subsection.

(3) If the amount of the credit for a taxable year exceeds the tax otherwise due for that year, the excess shall be carried forward to ensuing taxable years until fully used. A taxpayer claiming a credit under this section shall submit a copy of the tax credit certificate with the taxpayer's return for each taxable year for which the credit is claimed.

(e)(1) The MOBD shall revoke a tax credit certificate issued under subsection (c) if any of the following occurs with respect to a rural growth fund before it exits the program in accordance with paragraph (5) of this subsection:

(i) the rural growth fund in which the credit-eligible capital contribution was

made does not invest 100 per cent of its investment authority in rural growth investments in this commonwealth within 2 years of the closing date; provided, however, that, for the purpose of satisfying the requirements of this subparagraph, the maximum amount of rural growth investments that a rural growth fund may count with respect to a single rural business concern, including amounts invested in affiliates of the rural business concern, may not exceed the greater of \$5,000,000 or 20 per cent of the rural growth fund's investment authority;

(ii) the rural growth fund, after satisfying clause (i), fails to maintain rural growth investments equal to 100 per cent of its investment authority until the sixth anniversary of the closing date; provided, however, that an investment is "maintained" even if the investment is sold or repaid so long as the rural growth fund reinvests an amount equal to the capital returned or recovered by the fund from the original investment, exclusive of any profits realized, in other rural growth investments in this commonwealth within 12 months of the receipt of such capital; provided further, that amounts received periodically by a rural growth fund shall be treated as continually invested in rural growth investments if the amounts are reinvested in 1 or more rural growth investments by the end of the following calendar year; provided further, that for purposes of satisfying the requirements of this sub-paragraph, the maximum amount of rural growth investments that a rural growth fund may count with respect to a single rural business concern, including amounts invested in affiliates of the rural business concern, may not exceed the greater of \$5,000,000 or 20 per cent of the rural growth fund's investment authority;

(iii) the rural growth fund, before exiting the program in accordance with paragraph (4) of this subsection, makes a distribution or payment that results in the rural growth fund having less than 100 per cent of its investment authority invested in rural growth investments in this commonwealth or available for investment in rural growth investments and held in cash and other marketable securities; or

(iv) the rural growth fund makes a rural growth investment in a rural business concern that directly or indirectly through an affiliate owns, has the right to acquire an ownership interest, makes a loan to, or makes an investment in the rural growth fund, an affiliate of the rural growth fund, or an investor in the rural growth fund; provided, however, that this clause does not apply to investments in publicly traded securities by a rural business concern or an owner or affiliate of such concern; and provided further, that a rural growth fund will not be considered an affiliate of a rural business concern solely as a result of its rural growth investment.

(2) Before revoking one or more tax credit certificates under this subsection, the MOBD shall notify the rural growth fund of the reasons for the pending revocation. The rural growth fund shall have 90 days from the date the notice was received to correct any violation outlined in the notice to the satisfaction of the MOBD and avoid revocation of the tax credit certificate.

(3) If tax credit certificates are revoked under this subsection, the associated investment authority and credit-eligible capital contributions shall not count toward the limit on total investment authority and credit-eligible capital contributions described in paragraph (2) of subsection (c). The MOBD shall first award reverted authority pro rata to each rural growth fund that was awarded less than the requested investment authority under paragraph (5) of subsection (c). The MOBD may award any remaining investment authority to new applicants.

(4) On or after the sixth anniversary of the closing date, a rural growth fund may apply to the MOBD to exit the program and no longer be subject to regulation hereunder. The MOBD shall respond to the application within 30 days of receipt.

In evaluating the application, the fact that no tax credit certificates have been revoked and that the rural growth fund has not received a notice of revocation that has not been cured under paragraph (2) of this subsection shall be sufficient evidence to prove that the rural growth fund is eligible for exit. The MOBD shall not unreasonably deny an application submitted under this paragraph. If the application is denied, the notice shall include the reasons for the determination.

(5) The MOBD shall not revoke a tax credit certificate after the rural growth fund's exit from the program.

(6) Once a rural growth fund has been determined to be eligible to exit under paragraph (4), if the number of jobs created or jobs retained by the rural business concerns that received rural growth investments from the rural growth fund, calculated pursuant to reports filed by the rural growth fund pursuant to subsection (g), is:

(i) less than 60 per cent of the number projected in the rural growth fund's business plan filed as part of its application for certification under subsection (c) of this section, then the commonwealth shall receive 20 per cent of any distribution or payment made to the equity holders of the rural growth fund in excess of the rural growth fund's investment authority and an amount equal to any projected increase in the equity holders' federal or state tax liability, including penalties and interest, related to the equity holders' ownership, management or operation of the fund; or

(ii) greater than 60 per cent but less than 80 per cent of the number projected in the rural growth fund's business plan filed as part of its application for certification under subsection (c) of this section, then the state shall receive 10 per cent of any distribution or payment made to the equity holders of the rural growth fund in excess of the rural growth fund's investment authority and an amount equal to any projected increase in the equity holders' federal or state tax liability, including penalties and interest, related to the equity holders' ownership, management or operation of the fund.

(7) If the rural growth fund's rural growth investments achieved a 20 per cent or greater internal rate of return, the state shall receive 10 per cent of any distribution or payment made to the equity holders of the rural growth fund in excess of the rural growth fund's investment authority and an amount equal to any projected increase in the equity holders' federal or state tax liability, including penalties and interest, related to the equity holders' ownership of the fund. Any amounts payable to the state pursuant to paragraph (6) of this subsection shall be in addition to amounts due under this paragraph.

(f) A rural growth fund, before making a rural growth investment, may request from the MOBD a written opinion as to whether the business in which it proposed to invest is a rural business concern. The MOBD, not later than the fifteenth business day after the date of receipt of the request, shall notify the rural growth fund of its determination. If the MOBD fails to notify the rural growth fund by the fifteenth business day of its determination, the business in which the rural growth fund proposes to invest shall be considered a rural business concern.

(g)(1) Each rural growth fund shall submit a report to the MOBD on or before the fifth business day after the second anniversary of the closing date. The report shall provide documentation as to the rural growth fund's rural growth investments and include:

(i) a bank statement evidencing each rural growth investment;

(ii) the name, location and industry of each business receiving a rural growth investment, including either the determination letter set forth in subsection (f) or evidence that the business qualified as a rural business concern at the time the

investment was made;

(iii) the number of jobs created or jobs retained as a result of the rural growth fund's rural growth investments as of the last day of the preceding two calendar years; provided, however, that job numbers shall be certified by each rural business concern's independent certified public accountant that is licensed to do business in the commonwealth or by the rural growth fund's nationally recognized independent certified public accounting firm. MOBD shall publish a list of nationally recognized independent certified public accounting firms, which must include at least 10 firms, within 12 months of certifying the first rural growth fund and periodically update such list as MOBD deems appropriate; and

(iv) any other information required by the MOBD.

(2) On or before the last day of February of each year following the year in which the report required under paragraph (1) of this subsection is due, the rural growth fund shall submit an annual report to the MOBD including the following:

(i) the number of jobs created or jobs retained as a result of the rural growth fund's rural growth investments as of the last day of the preceding calendar year, which number shall be independently certified in accordance with the provisions of subparagraph (iii) of paragraph (3) of this subsection;

(ii) the average annual salary of the positions described in clause (i) of this paragraph; and

(iii) any other information required by the MOBD.

(h) The MOBD shall adopt rules necessary to implement the provisions in this section.

SECTION 63. The MOBD shall accept applications for approval as a rural growth fund as required under subsection (c) of section 38GG of chapter 63 of the General Laws not more than 90 days after the effective date of this act.

The amendment was adopted.

Mr. Kaufman of Lexington then moved to amend the bill by adding the following three sections:—

“SECTION 64. Chapter 149 of the General Laws is hereby amended by adding the following 13 sections:-

Section 192. As used in this section and in sections 193 through 204, inclusive, the following words, unless the context clearly requires otherwise, shall have the following meanings:

‘Client’ or ‘client company’, a person who enters into a professional employer agreement with a professional employer organization.

‘Covered employee’, an individual employed in a PEO relationship where the individual's employment is subject to a professional employer agreement. Individuals who are officers, directors, shareholders, partners and managers of the client shall be covered employees, except to the extent the professional employer organization and the client have expressly agreed in the professional employer agreement that such individuals shall not be covered employees; provided, that such individuals meet the criteria of this paragraph and act as operational managers or perform day-to-day operational services for the client.

‘Director’, the director of the department of labor standards.

‘Employment agency’, as defined in section 46A of chapter 140.

‘PEO group’, 2 or more professional employer organizations that are majority owned or commonly controlled by the same entity, parent or controlling person or persons.

‘PEO relationship’, a co-employment relationship, in which all the rights, duties and obligations of an employer which arise out of an employment

relationship have been allocated between the PEO and the client pursuant to a professional employer agreement, provided however, that a staffing agency and an employment agency shall not be a PEO. In a PEO relationship: (i) the professional employer organization shall be entitled to enforce only such employer rights and is subject to only those obligations allocated in the professional employment agreement or as specifically required pursuant to section 192 to 204, inclusive; (ii) the client shall be entitled to enforce those rights, and obligated to provide and perform those employer obligations, allocated to the client by the written professional employer agreement; (iii) the client shall be entitled to enforce any right and obligated to perform any obligation of an employer not specifically allocated to the PEO or section 192 to 204, inclusive; and (iv) neither the client nor the PEO may delegate duties and responsibilities to the other unless such delegation is provided in the professional employer agreement and the covered employees are informed about this delegation of duties and responsibilities.

‘Person’, any individual, partnership, corporation, limited liability company, association or any other form of legally recognized entity.

‘Professional employer agreement’, a written contract by and between a client and a professional employer organization that: (i) provides for the PEO relationship of covered employees; (ii) allocates employer rights and obligations between the client and the professional employer organization with respect to the covered employees; and (iii) allocates the responsibilities between the professional employer organization and the client; provided, however, that a professional employer agreement shall not affect, modify or amend any employee rights under federal, state, local or municipal law and in no way abrogate obligations of the client or the PEO to covered employees under such laws.

‘Professional employer organization’ or ‘PEO’, any person engaged in the business of providing professional employer services who is subject to registration and regulation pursuant to sections 192 to 204, inclusive, regardless of its use of the term or conducting business as a professional employer organization staff leasing company, registered staff leasing company, employee leasing company, administrative employer or any other name provided that the following shall not be deemed to be professional employer organizations or providing professional employment services: (i) arrangements wherein a person, whose principal business activity is not entering into professional employer arrangements and which does not hold itself out as a PEO, shares employees with a commonly owned company within the meaning of section 414(b) and section 414(c) of the Internal Revenue Code of 1986, as amended; (ii) independent contractor arrangements as governed by section 148B; or (iii) services provided by an employment agency or staffing agency.

‘Professional employer services’, the service of entering into PEO relationships in which all or a majority of the employees providing services to a client or to a division or work unit of the client are covered employees.

‘Registrant’, a PEO registered pursuant to section 196.

‘Staffing agency’, as defined in section 159C.

‘Wages’, shall include all forms of remuneration for employment.

Section 193. (a) Nothing contained in sections 192 to 204, inclusive, or in any professional employer agreement shall affect, modify or amend any collective bargaining agreement, or the rights or obligations of any client, PEO or covered employee under chapter 150A, chapter 150E, the federal National Labor Relations Act, the federal Railway Labor Act or any other applicable federal or state law.

(b) Collective bargaining, if commenced after an agreement is entered into

between a PEO and a client, shall be conducted as required by federal and state law.

(c) Nothing in sections 192 to 204, inclusive, or in any professional employer agreement shall:

(1) diminish, abolish or remove rights of covered employees to a client or obligations of such client to a covered employee existing prior to the effective date of the professional employer agreement under federal or state law;

(2) affect, modify or amend any contractual relationship or restrictive covenant between a covered employee and any client in effect at the time a professional employer agreement becomes effective or prohibit or amend any contractual relationship or restrictive covenant that is entered into subsequently between a client and a covered employee; provided, however, that a PEO shall have no responsibility or liability in connection with, or arising out of, any such existing or new contractual relationship or restrictive covenant unless the PEO has specifically agreed otherwise in writing; or

(3) affect, modify or amend any employee rights under federal, state, local or municipal law.

Section 194. (a) Nothing in sections 192 to 204, inclusive, or any professional employer agreement shall affect, modify or amend any federal, state or local licensing, registration or certification requirement applicable to any client or covered employee.

(b) A covered employee who is required to be licensed, registered or certified according to law or regulation shall be deemed solely an employee of the client for purposes of any such license, registration or certification requirement.

(c) A PEO shall not be deemed to engage in any occupation, trade, profession or other activity that is subject to licensing, registration or certification requirements, or is otherwise regulated by a government agency solely by entering into and maintaining a PEO relationship with a covered employee who is subject to such requirements or regulation.

(d) A client shall have the sole right of direction and control of the professional or licensed activities of covered employees and of the client's business. Covered employees and clients shall remain subject to regulation by the regulatory or governmental entity responsible for licensing, registration or certification of such covered employees or clients.

Section 195. (a) For purposes of the determination of tax credits and other economic incentives provided by the commonwealth or other government entity and based on employment, covered employees shall be deemed solely the client's employees. A client shall be entitled to the benefit of any tax credit, economic incentive or other benefit arising as the result of the employment of covered employees of such client. Notwithstanding that the PEO is the reporting employer for the purposes of the federal Internal Revenue Service form W-2, the client shall continue to qualify for the benefit, incentive or credit. If the grant or amount of any benefit, incentive or credit is based on number of employees, then each client shall be treated as employing only those covered employees involved in a PEO relationship by such client. Covered employees working for other clients of the PEO shall not be counted. Each PEO shall provide, upon request by a client or by agency employment information reasonably required for administration of any tax credit or economic incentive and necessary to support any request, claim, application or other action by a client seeking any tax credit or economic incentive.

(b) With respect to a bid, contract, purchase order or agreement entered into with the commonwealth or a political subdivision thereof, a client company's

status or certification under federal or state law as a small, minority-owned, disadvantaged, woman-owned business or other underutilized class of enterprise shall not be affected because the client company has entered into a PEO relationship.

Section 196. (a) Except as otherwise provided in sections 192 to 204, inclusive, no person shall provide, advertise or otherwise hold itself out as providing professional employer services in the commonwealth, unless such person is registered pursuant to this section.

(b) Each applicant for registration shall provide the department with the following information:

(1) the name or names under which the PEO conducts business or will conduct business;

(2) the address of the principal place of business of the PEO and the address of each office it maintains in the commonwealth;

(3) the taxpayer or employer identification number of the PEO;

(4) a list by jurisdiction of each name under which the PEO has operated in the preceding 5 years, including any alternative names, names of predecessors and, if known, successor business entities;

(5) a statement of ownership, which shall include the name and evidence of the business experience of any person that, individually or acting in concert with one or more other persons, owns or controls or will own or control if known or reasonably known at the time of registration, directly or indirectly, not less than 25 per cent of the equity interests of the PEO;

(6) a statement of management, which shall include the name and evidence of the business experience of any person who serves or will serve, if known or reasonably known at the time of registration, as president, chief executive officer or otherwise has the authority to act as senior executive officer of the PEO;

(7) A financial statement setting forth the financial condition of the PEO or PEO group. At the time of application for a new license, as part of the financial statement, the applicant shall submit an audit of the applicant, which shall be the most recent audit available and shall not be more than 13 months old; provided, that nothing in this clause shall be construed as to require the department to conduct the audit; provided, further, that a PEO or PEO group shall file on an annual basis, at the time of renewal, a succeeding audit; provided, further, that an applicant may apply for an extension with the department but any such request shall be accompanied by a letter from the auditors stating the reasons for the delay and the anticipated audit completion date; provided, further, that the financial statement shall be prepared in accordance with generally accepted accounting principles, and the audit shall be conducted by an independent certified public accountant licensed to practice in the jurisdiction in which such accountant is located, and shall be without qualification as to the going concern status of the PEO; provided, further, that a PEO group or a PEO that is part of an organizational structure in which it is majority owned or commonly controlled by an entity, parent or controlling person may submit combined or consolidated audited financial statements to meet the requirements of this section; and provided, further, that a PEO that has not had sufficient operating history to have audited financials based upon at least 12 months of operating history shall meet the financial capacity requirements in subsections (l) and (m) and shall present financial statements reviewed by a certified public accountant; and

(8) a list of clients including client name, physical address, telephone number and federal identification number.

(c) A PEO shall complete its initial registration prior to initiating operations within the commonwealth. If a PEO that is not registered in the commonwealth becomes aware that an existing client not based in the commonwealth has employees and operations in the commonwealth, the PEO shall decline to provide PEO services for those employees or notify the department within 5 business days of its knowledge of the fact and file a full business registration within 5 business days if there are more than 15 covered employees. The department may issue an interim operating permit for the period the registration applications are pending if: (i) the PEO is currently registered or licensed by another state and (ii) the department determines it to be in the best interests of the potential covered employees.

(d) Upon expiration of its registration, the registrant shall renew its registration by notifying the department of any changes in the information provided in the registrant's most recent registration or renewal. A registrant's existing registration shall remain in effect during the pendency of a renewal application.

(e) PEOs in a PEO group may satisfy the reporting and financial requirements established pursuant to this section on a combined or consolidated basis; provided, each member of the PEO group guarantees the financial capacity obligations pursuant to clause (7) of subsection (b) for each member of the PEO group. In the case of a PEO group that submits a combined or consolidated audited financial statement, including entities that are not PEOs or that are not in the PEO group, the controlling entity of the PEO group under the consolidated or combined statement shall guarantee the obligations of the PEOs in the PEO group.

(f) A PEO that is part of an organizational structure in which it is majority owned or commonly controlled by an entity, parent or controlling person may submit a combined or consolidated audited financial statement provided the controlling entity under the consolidated or combined statement guarantees the obligations of the PEO.

(g) The department shall maintain a list of PEOs registered pursuant to this section and shall make said list readily available to the public by electronic or other means.

(h) The department may prescribe forms necessary to promote the efficient administration of this section.

(i) Applications, documents, reports and other filings shall be submitted in a manner determined by the director, which may also include the acceptance of electronic filings and other assurance by an independent and qualified assurance organization approved by the director that provides satisfactory assurance of compliance acceptable to the director consistent with or in lieu of the requirements of subsections (b) to (g), inclusive, and subsection (k), and other requirements of sections 192 to 204, inclusive or the regulations promulgated pursuant to those sections. The director shall permit a PEO to authorize such an approved assurance organization to act on the PEO's behalf in complying with the registration requirements pursuant to this section, including electronic filings of information and payment of registration fees. Use of such an approved assurance organization shall be optional and not mandatory for a registrant. Nothing in this subsection shall limit or change the department's authority to register or terminate registration of a professional employer organization or to investigate or enforce this chapter.

(j) All records, reports and other information obtained from a PEO for the purposes of section 196 except to the extent necessary for the department's proper administration of this chapter, shall be confidential and shall not be published or open to public inspection except public employees in the performance of their

public duties or otherwise in accordance with federal or state law.

(k) The department shall establish by regulation any fee to be charged for initial registration, renewal or group registration.

(l) Except as provided by subsection (e) and (f), each PEO or collectively each PEO group shall maintain:

(1) positive working capital, as defined by generally accepted accounting principles, proof of which shall be submitted at registration as reflected in the financial statements submitted to the department with the initial registration and each annual renewal; and

(2) a surety bond in the amount of \$250,000, proof of which shall be submitted at the time of registration. The surety bond required shall be in a form acceptable to the director and maintained while the license remains in effect or any obligations or liabilities of the registrant remain outstanding.

(m) A PEO or PEO group without positive working capital may provide a bond, irrevocable letter of credit or securities with a minimum market value equaling the deficiency plus \$250,000. Such bond shall be held by a depository designated by the department, securing payment by the PEO of all taxes, wages, benefits or other entitlement due to or with respect to covered employees, if the PEO does not make such payments when due.

Section 197. (a) Except as specifically provided in sections 192 to 204, inclusive, and in the professional employer agreement pursuant to this section, or under any subsequent written agreement or amendment, in each PEO relationship:

(1) the client shall be entitled to exercise all rights, and shall be obligated to perform all duties and responsibilities, otherwise applicable to an employer in an employment relationship;

(2) the PEO shall be entitled to exercise only those rights, and obligated to perform only those duties and responsibilities, specifically required pursuant to sections 192 to 204, inclusive, or those set forth in the professional employer agreement. The rights, duties and obligations of the PEO with respect to any covered employee shall be limited to those arising pursuant to the professional employer agreement and those required pursuant to this chapter during the term of the PEO relationship with such covered employee; and

(3) unless otherwise expressly agreed to by the PEO and the client in a professional employer agreement, the client retains the exclusive right to direct and control the covered employees as is necessary to conduct the client's business, to discharge any of the client's fiduciary responsibilities or to comply with any licensure requirements applicable to the client or to the covered employees.

(b) Except as specifically provided in sections 192 to 204, inclusive, the PEO relationship between the client and the PEO, the relationship between the PEO and each covered employee and the relationship between the client and each covered employee shall be governed by the professional employer agreement.

Each professional employer agreement shall include the following:

(1) the allocation of rights, duties and obligations as described in subsection (a);

(2) the extent that the PEO has assumed responsibility in the professional employer agreement; (i) where the PEO shall have responsibility to pay such wages to covered employees; (ii) to withhold, collect, report and remit payroll-related and unemployment taxes; and (iii) to make payments for employee benefits for covered employees; and

(3) that the PEO shall have a right to hire and terminate a covered employee as may be necessary to fulfill the PEO's responsibilities pursuant to sections 192 to

204, inclusive, the professional employer agreement, or as actually delegated by the client. The client shall have a right to hire, discipline and terminate a covered employee.

(c) Upon initiation of the PEO relationship: (i) the PEO shall provide the client a notice; (ii) the client shall post said notice in a conspicuous place at the client's worksite; and (iii) depending on the customary way that the client communicates with its employees, the client shall either provide a hard copy or an electronic copy of said notice to said employees. Said notice shall contain the following information:

(1) notice of the general nature of the co-employment relationship between and among the professional employer organization, the client and such covered employees, including the rights, responsibilities and duties that the PEO and the client have with respect to the covered employees;

(2) the name and telephone number of the department;

(3) the name and telephone number of the PEO;

(4) disclosure if the benefit plan is self-funded or is not fully insured;

(5) the name of the workers' compensation carrier and the policy number; whether the PEO or the client maintains the workers' compensation policy and performs safety inspections at the workplace; and a phone number or contact to report injuries and hazardous worksite conditions; and

(6) a multilingual tagline on the notice provided by the department in languages required under clause (iii) of subsection (d) of section 62A of chapter 151A that includes the name and telephone number of the department and states that the notice contains important information that should be translated.

(d) Upon termination, and in accordance with applicable federal and state law, the PEO shall provide covered employees with written notice of the termination of the PEO relationship. The notice can be provided electronically if that is the customary manner in which the client and the PEO communicate with the covered employee.

(e) Except to the extent otherwise expressly provided by the applicable professional employer agreement:

(1) A client shall be solely responsible for the quality, adequacy or safety of the goods or service produced or sold in the client's business.

(2) A client shall be solely responsible for directing, supervising, training and controlling the work of the covered employees with respect to the business activities of the client and solely responsible for the acts, errors or omissions of the covered employees with regard to such activities.

(3) A client shall be solely responsible for the payment of any wages to covered employees and to make payments for employee benefits for covered employees.

(4) A client shall be solely responsible for safety, risk and hazard control at the worksite and compliance with related state and federal laws.

(5) Upon termination of the PEO relationship, the client shall be solely responsible for providing employees with information regarding the handling of claims and benefits.

(6) A client shall not be liable for the acts, errors or omissions of a PEO, or of any covered employee of the client and a PEO, when such covered employee is acting under the express direction and control of the PEO.

(7) A PEO shall not be liable for the acts, errors or omissions of a client, or of any covered employee of the client, when such covered employee is acting under the express direction and control of the client.

(8) Nothing in this subsection shall serve to limit any contractual liability or obligation specifically provided in the written professional employer agreement.

(9) A covered employee is not, solely as the result of being a covered employee of a PEO, an employee of the PEO for purposes of general liability insurance, fidelity bonds, surety bonds, employer's liability which is not covered by workers' compensation or liquor liability insurance carried by the PEO unless the covered employees are included by specific reference in the professional employer agreement and applicable prearranged employment contract, insurance contract or bond.

(10) Nothing in this section shall in any way limit the liabilities and obligations of any PEO or client to covered employees as required by this chapter.

(11) The client shall be solely responsible for notifying the PEO of all covered employees. Where the client has failed to notify the PEO, the client will be deemed to be the sole employer of the employee.

(12) The client shall retain all records in compliance with state and federal law, including, but not limited to section 52C of this chapter and section 15 of chapter 151.

Section 198. (a) Any tax assessed or assessment or mandated expenditure on a per capita or per employee basis shall be assessed against the client for covered employees and against the PEO for its employees who are not covered employees involved in a PEO relationship with a client. Benefits or monetary consideration that meet the requirements of mandates imposed on a client and that are received by covered employees through the PEO either through payroll or through benefit plans sponsored by the PEO shall be credited against the client's obligation to fulfill such mandates.

(b) In the case of a tax or an assessment imposed or calculated upon the basis of total payroll, the PEO shall be eligible to apply any small business allowance or exemption available to the client for the covered employees for purpose of computing the tax.

Section 199. (a) A client or a PEO shall each be deemed an employer under the laws of this state for purposes of sponsoring welfare benefit plans for its covered employees.

(b) A fully-insured employee welfare benefit plan as defined in 29 U.S. Code § 1002 offered to the covered employees of a single PEO shall be treated for purposes of state law as a single-employer plan.

(c) For purposes of chapter 176J a PEO shall be considered the employer of all of its covered employees and all covered employees of one or more clients participating in a health benefit plan sponsored by a single PEO shall be considered employees of that PEO.

(d) If a PEO offers to its covered employees any health benefit plan which is not fully-insured by an authorized insurer, the plan shall:

(1) utilize a third-party administrator licensed to do business in this commonwealth;

(2) hold all plan assets, including participant contributions, in a trust account consistent with the requirements of section 403 of the Employee Retirement Income Security Act of 1974, or 'ERISA'; and

(3) provide sound reserves for such plan as determined using generally accepted actuarial standards of practice and consistent with the prudence and loyalty standards of care for ERISA fiduciaries.

(e) A PEO shall not be engaged in the sale of insurance or in acting as a third party administrator by offering, marketing, selling, administering or providing

professional employer services which include services and employee benefit plans for covered employees.

Section 200. (a) Workers' compensation coverage shall be provided pursuant to section 14A of chapter 152 and regulations promulgated pursuant to said chapter 152.

(b) PEOs and clients shall comply with employer posting notices pursuant to sections 21 and 22 of said chapter 152.

(c) To the extent the PEO has assumed responsibility in the professional employer agreement, the PEO shall maintain responsibility for the management of workers' compensation claims.

(d) The professional employer agreement shall specify the allocation of responsibilities between the PEO and the client for workplace safety, risk and hazard control including the responsibility for disclosing information about workplace injuries and illness required by the federal Occupational Safety and Health Act and for performing workplace safety inspections of all premises where covered employees are employed.

(e) Where the PEO has workers' compensation coverage and has executed an alternate employer endorsement naming the client as an additional insured, both the client and the PEO shall be considered the employer for purpose of coverage under said chapter 152.

(f) Where the client has workers' compensation coverage and has executed an alternate employer endorsement naming the PEO as an additional insured, both the client and the PEO shall be considered the employer for the purpose of coverage under said chapter 152.

Section 201. (a) For purposes of chapter 151A, covered employees of a PEO shall be considered the employees of the client, and the PEO shall be responsible for the payment of contributions, penalties and interest on wages paid by the PEO to its covered employees during the term of the applicable professional employer agreement.

(b) The PEO shall report and pay all required contributions to the unemployment compensation fund using the state employer account number and the experience rate of the client company pursuant to chapter 151A and the regulations promulgated pursuant to said chapter.

Section 202. Except as otherwise provided in this chapter, for the purposes of federal, state or local laws relating to employee count, including but not limited to paid and unpaid leave, health and transportation benefits and protection under fair employment laws, the employee count shall include all of the client company's employees, including the client's employees who are covered employees under the PEO relationship between the client and the PEO.

Section 203. (a) A person shall not knowingly and intentionally:

(1) offer or provide professional employer services or use the names PEO, professional employer organization, staff leasing, employee leasing, administrative employer or other title representing professional employer services without registering with the department pursuant to section 196;

(2) provide false or fraudulent information to the department in conjunction with any registration, renewal or in any report required pursuant to sections 192 through 204, inclusive;

(3) enter into a PEO relationship and split a client workforce for the sole purpose of avoiding compliance with federal, state or municipal laws; or

(4) make a material misrepresentation to the department, to other governmental agencies or to covered employees.

(b) Disciplinary action may be taken by the department for violation of sections 192 through 204, inclusive, including for:

(1) the conviction of a PEO or a controlling person of a PEO of a crime that relates to the operation of a PEO or the ability of the licensee or a controlling person of a licensee to operate a PEO;

(2) knowingly making a material misrepresentation to the department, or other governmental agency; or

(3) a willful violation of sections 192 through 204, inclusive, or any related order or regulation.

(c) Any individual may file a complaint with the department against a PEO, PEO group, controlling person of a PEO, person offering professional employer services, or client. The complaint shall be filed in writing, with the department, in a form prescribed by the director.

(1) Upon receipt of a complaint, the department shall proceed to review and investigate the complaint to determine if further action is warranted.

(2) If the director, after investigation, has cause to believe that there have been violations of this chapter, the director may refer the complaint to the office of the attorney general.

(d) Upon finding, after notice and opportunity for hearing, that a PEO, PEO group, controlling person of a PEO, person offering professional employer services, or client has violated 1 or more provisions of this chapter, including the failure to furnish records and requested information to the department and its inspectors, or has hindered or interfered with any authorized inspector while in the performance of their duties, subject to any appeal, the director may:

(1) deny an application for a license;

(2) revoke, suspend, restrict or refuse to renew a license;

(3) impose an administrative penalty in an amount not to exceed \$1,000 for each material violation;

(4) place the licensee on probation for the period and subject to conditions that the department specifies; or

(5) issue a cease and desist order.

Section 204. Wages shall be paid in accordance with section 148 of this chapter and any minimum wage and overtime requirements as provided for in chapter 151. A PEO who fails to pay wages, to the extent the PEO has assumed responsibility in the professional employer agreement or subsequent written agreement and as required under this chapter, shall be subject to penalties under this chapter.

SECTION 65. Each professional employment organization as defined by section 192 of chapter 149 of the General Laws operating within the commonwealth as of the effective date of this act shall complete its initial registration not later than 180 days after the effective date of this act. Initial registration shall be valid for 1 year after the date of issuance.

SECTION 66. The department of labor standards shall promulgate regulations to effectuate the purposes of this act.”

The amendment was adopted.

Mrs. Haddad of Somerset being in the Chair,—

Ms. Peake of Provincetown then moved to amend the bill by adding the following section:

“SECTION 67. There shall be a special commission to investigate, analyze and study any barriers and hindrances to the ‘last mile’ connections to the broadband internet initiatives. The special commission shall consist of thirteen

members including: six members appointed by the governor, one of whom shall be from western Massachusetts; one of whom shall be from central Massachusetts; one of whom shall be from Cape Cod and the Islands; one of whom shall be the director of a community development corporation located in Barnstable county; one of whom shall be the director of a community development corporation located in Berkshire county; and one of whom shall be the director of a community development corporation located elsewhere in the Commonwealth; the secretary of energy and environmental affairs, or a designee; the secretary of housing and economic development, or a designee; one member of the house appointed by the speaker; one member of the house appointed by the minority leader; one member of the senate appointed by the senate president; one member of the senate appointed by the minority leader; and the director of the Massachusetts broadband institute.

The commission study shall include, but not be limited to, any economic, technical, statutory or regulatory barriers or other hindrances to close ‘last mile’ connections being made. The commission shall submit its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect by filing the same with the clerks of the house of representatives and senate, the house and senate committees on ways and means, and the joint committee on economic development and emerging technologies not later than January 31, 2019.”

The amendment was adopted.

Ms. Atkins of Concord then moved to amend the bill by adding the following section:

“SECTION 68. Section 1A of chapter 128 of the General Laws, as so appearing, is hereby amended by inserting at the end thereof, after the word ‘market’, the following words:- ‘; and shall include agritourism, which is any educational, recreational, or social activity, including weddings performed on a farm, which serves to promote the farm and its products, provided however that income from agritourism activities do not exceed 50 per cent of the annual farm revenue from the sale of farm product over any 5 year period”.

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following four sections:

“SECTION 68. Section 1 of chapter 64H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting, after the definition of ‘Retail establishment’, the following definition:-

‘Rolling stock’, trucks, tractors, and trailers, used by common carriers to transport goods in interstate commerce.

SECTION 69. Section 6 of said chapter 64H, as so appearing, is hereby amended by inserting, after subsection (xx), the following new subsection:-

(yy) Sales of rolling stock.

SECTION 70. Section 1 of chapter 64I, as so appearing, is amended by inserting in line 5, after the words ‘retail establishment’, the following words:-

, ‘rolling stock’.

SECTION 71. Section 7 of said chapter 64I, as so appearing, is hereby amended by inserting, after subsection (e), the following new subsection:-

(f) Storage, use or other consumption of rolling stock.”

The amendment was adopted.

The Chair (Mrs. Haddad of Somerset) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet

Suspension
of Rule 1A.

to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 112 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 393 in Supplement.]

Therefore Rule 1A was suspended.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2A by inserting before item 6720-1351 the following item:

“7008-1116 For the commonwealth’s local economic development projects; provided that \$250,000 shall be expended for the facilitation and support of the Massachusetts-Israel Economic Connection operated by the New England Israel Business Council to pursue economic collaboration between Israel and Massachusetts; provided further, that not less than \$150,000 shall be expended for the Black Economic Council of Massachusetts; provided further, that not less than \$500,000 shall be expended for the fit-out of the ground floor of the Union Station garage in the city of Worcester for commercial use; provided further, that not less than \$250,000 shall be expended to the City of Melrose for the expansion and improvement of the Victorian Downtown Business District; provided further that not less than \$100,000 shall be expended for the development of a water and sewer economic infrastructure feasibility study and master plan in the Town of Leicester; provided further, that \$400,000 shall be expended for the design and construction of connecting the Methuen Rail Trail to the Spicket River Greenway in the City of Methuen and the City of Lawrence; provided further that not less than \$225,000 shall be expended for the purpose a feasibility study and business plan for an Applied Climate/Coastal Resilience Innovation Center in the Town of Barnstable; provided further, that not less than \$350,000 shall be used to renovate the Chevalier Theater in the City of Medford; provided further, that \$250,000 shall be used for Street and sidewalk construction on Commercial Street in City of Medford; provided further, that \$200,000 shall be expended for engineering improvements to the slip ramp for Route 1A and I-495 in the Town of Wrentham; provided further, that not less than \$350,000 shall be expended for parking improvements in the Town of Holliston; provided further, that not less than \$350,000 shall be expended for the establishment of a building code upgrade fund in the City of Pittsfield; provided further, that not less than \$200,000 shall be expended to the Falmouth Economic Development and Industrial Corporation to fund fiber optic cable expansion in Falmouth; provided further, that the Secretary shall expand \$100,000 for mitigation of or contribution toward any costs associated with or arising out of design, construction or infrastructure improvements related to the redevelopment of the intersection of Carew and Cass Street in Springfield; provided further, that \$200,000 shall be expended for improvements to Goddard Park and Auburn Pond in the town of Auburn; provided further, that not less than

Rule 1A
suspended,—
yea and nay
No. 393.

UNCORRECTED PROOF.

\$50,000 shall be expended for sidewalk projects for the new Village Center in the town of Pelham; provided further, that not less than \$50,000 shall be expended for a commercial kitchen in the Community Hall in Pelham; provided further, that not less than \$75,000 shall be expended for the Sweetser Park Foundation in the town of Amherst; provided further, that not less than \$100,000 shall be expended for the construction of secure bicycle shelters and marked bicycle lanes on State Route 4/225 in the town of Bedford; provided further, that not less than \$150,000 shall be expended for the construction of bus transit shelters in the town of Burlington; provided further that not less than \$250,000 be allocated to infrastructure improvements to Lincoln Street in Marlborough for the revitalization of the French Hill area; provided further, that not less than \$350,000 shall be expended to the City of Fitchburg for the implementation of a municipal fiber-optic telecommunication infrastructure; provided that not less than \$300,000 shall be expended for improving sewer infrastructure along Route 20 in the Town of Shrewsbury; provided further, that \$100,000 shall be expended for an erosion study located in the town of Salisbury; provided further, that not less than \$100,000 shall be expended to the City of Newton, to improve external marketing of economic development services offered by the city; provided further, that not less than \$200,000 shall be expended to the City of Newton, to conduct a market analysis and community engagement process in order to develop a strategic vision plan for the future of Newton Centre; provided further, that not less than \$100,000 shall be expended to the City of Newton, to expand the capacity of the Newton Innovation Center; provided further, that not less than \$200,000 shall be expended to the City of Newton, for new bathroom and locker room facilities at Gath Pool; provided further, that \$150,000 shall be expended for the MetroWest Tourism and Visitors Bureau; provided further, that not less than \$100,000 shall be expended for sidewalk, road, and parking improvement projects in commercial and retail areas within the town of Ashland; provided further, that not less than \$100,000 shall be expended for sidewalk, road, and parking improvement projects in commercial and retail areas within the city of Framingham; provided further, that not less than \$250,000 shall be expended for park development costs for North Mountain Park in the Town of Dalton; provided further, that not less than \$100,000 shall be expended for repairs and the beautification of Sullivan Park in the City of Lawrence; provided further, that not less than \$100,000 shall be expended for repairs and the beautification of Stockton Park in the City of Lawrence; provided further, that not less than \$100,000 shall be expended for the renovation and repair of Burgoin Square Park Soccer Field in the City of Lawrence; provided further, that not less than \$100,000 for the improvement of sidewalks and bike path infrastructure in the city of Lawrence; provided further, that not

UNCORRECTED PROOF.

less than \$250,000 shall be expended for the University of Massachusetts at Lowell for technical assistance, mentoring, prototyping, product development, and manufacturing referral services for medical device, manufacturing and technology-based startups within the Hamilton Canal Innovation District and to promote industry and supply chain partnerships; provided further, that no less than \$40,000 be provided to the town of Sterling for the implementation of an online, E-Permitting program; provided further, that not less than \$75,000 shall be expended for the Downtown Taunton Foundation to facilitate commercial and residential housing development; provided further, that \$50,000 shall be expended for the Southeastern Massachusetts Convention and Visitors Bureau; provided further, that not less than, \$250,000 shall be expended for the installation of lights at the baseball fields located at Aaron Krock Memorial Park in Worcester; provided further, that not less than \$75,000 shall be expended for administrative costs related to the operation of the Life Sciences Consortium of the North Shore run through North Shore InnoVentures in Beverly; provided further that not less than \$50,000 be expended to the Essex National Heritage Commission for the purposes of improving signage on Essex Heritage Sites; provided further, that not less than \$250,000 shall be allocated to the Roxbury Trust Fund for the creation of jobs, job training and placement, business development and expansion, financial workshops for individuals and small businesses, education, literacy and English language acquisition in the Roxbury neighborhood of the City of Boston; provided further, that not less than \$25,000 shall be expended for career and technical training programs held at the Malden YWCA; provided further, that not less than \$150,000 shall be expended for sidewalk, road, and parking improvement projects in commercial and retail areas within the city of Malden; provided further, that not less than \$100,000 shall be expended to the City of Haverhill for the advancement of redevelopment on Merrimack Street; provided further, that not less than \$100,000 shall be expended to the City of Haverhill for a grant program to support rental costs for new small businesses in the City’s Central Business District; provided further, that not less than \$75,000 shall be expended for the establishment of a feasibility study, site assessment, and pre-development work through the City of Haverhill on the former Dutton Airport parcels; provided further, that not less than \$250,000 be expended to the City of Peabody for the design, manufacturing, and implementation of a wayfinding plan and signage for Centennial Business Park; and provided further that not less than \$200,000 shall be expended for coastal culvert repair in the Blish Point section of the Town of Barnstable.....\$8,840,000”; and

By inserting after item 6720-1351 the following item:

“7002-1120 For grants to municipalities and other public instrumentalities for design, construction, building, land acquisition, rehabilitation,

UNCORRECTED PROOF.

repair and other improvements to publicly-owned infrastructure, or those owned or operated by nonprofit organizations; provided, that not less than \$3,000,000 shall be expended on land acquisition for the purposes of market rate housing in the City of Fall River; provided further, that not less than \$1,000,000 shall be expended for the City of Newton Parks and Recreation Department for the purpose of replacing the bath house located at Crystal Lake in Newton, a Great Pond under MGL Chapter 91; provided further, that not less than \$1,000,000 shall be expended for provided that \$1,000,000 shall be expended for the Clippership Connector, a multi-use path in the City of Medford; provided further, that not less than \$2,000,000 shall be expended to the Town of Adams for the construction of the Greylock Glen Outdoor Center; provided that \$5,000,000 shall be expended for the Harbor Development Commission in the City of New Bedford for the construction of a Fisheries Innovation Center; provided further, that not less than \$1,000,000 shall be expended to the development and improvement of the Waterfield lot in the Town of Winchester; provided further, that not less than \$1,000,000 shall be expended for the implementation of a pilot Transportation Management Association to address mobility and connectivity gaps in the Town of Stoneham; provided further, that not less than \$1,000,000 shall be expended for the growth of the startup and small business ecosystem in the City of Worcester including the operation of incubators, accelerators and other new ventures; provided further, that not less than \$1,000,000 shall be allocated for dredging of Milton Landing in the Town of Milton; provided further, that not less than \$1,000,000 shall be expended for the continued maintenance and development of Powers Farm Park in the Town of Randolph; provided further, that not less than \$1,000,000 shall be expended for site readiness and storm water management at the William Stanley Business Park in Pittsfield; provided further, that not less than \$1,000,000 be allocated to the Marine Biological Laboratory to be used for the restoration of the seawall located at Waterfront Park in the town of Falmouth; provided further, that not less than \$1,000,000 shall be allocated for dredging in the Town of Tisbury; provided further, that not less than \$1,300,000 shall be expended for new equipment and technological improvements to combine Next-Gen Sequencing with High Performance Technology and Big Data Analytics to mine the rich genetic diversity of marine organisms for a joint proposal of the Ocean Genome Legacy/Northeastern Marine Science Center (OGL/MSC) and Gloucester Marine Genomics Institute; provided further, that \$1,500,000 shall be expended to support improvements to the water and sewer infrastructure system along state highway route 20 in the town of Oxford; provided further, that not less than \$900,000 shall be expended for implementing infrastructure improvements and development strategies of the Drury Square Plan in the town of Auburn;

UNCORRECTED PROOF.

provided further, that not less than \$1,000,000 shall be expended for economic development of the Avon Industrial Park in the Town of Avon; provided further, that not less than \$1,000,000 shall be expended for the Paul Revere Heritage Site in the Town of Canton; provided further, that not less than \$3,500,000 shall be expended for an extended care career ladder grant program, consistent with section 410 of chapter 159 of the Acts of 2000; provided further, that not less than \$3,500,000 shall be expended for the establishment of a pilot program in the city of Lowell administered by a local 501(c)3 that has the capability to provide zero to 3% loans to local commercial businesses to implement energy efficiency updates to increase commercial activity, contribute to downtown revitalization, promote job creation in economically depressed areas, or advance other local economic development goals; provided further, that not less than \$2,000,000 shall be expended to Way Finders, Inc.; provided further, that not less than \$1,000,000 shall be expended to New North Citizens Council, Inc., a City Wide Neighborhood and community agency in Springfield, for infrastructure improvements and capital investments to support the low income Neighborhood revitalization, Business Corridor redevelopment, financing for Facade for Micro/small businesses, and other community economic development initiatives; provided further that not less than \$500,000 be allocated for the design and construction of a regional cultural arts center at the Burlington Mall or other suitable location in the town of Burlington; provided further, that not less than \$10,000,000 shall be expended for dredging in the waterways and the construction, rehabilitation and repair of on-shore facilities located at Brayton Point in the Town of Somerset to support the growth and expansion of the off-shore wind-driven electricity generating projects; provided further, that not less than \$1,000,000 shall be expended for the design of a pedestrian and bicycle bridge connecting businesses, housing and public transit in the Alewife section of Cambridge; provided further, that not less than \$750,000 shall be expended for the renovation and rehabilitation of the Patton Homestead in the Town of Hamilton; provided further, that not less than \$500,000 shall be expended for the reconfiguration and renovation to the downtown area in the Town of Topsfield; provided further, that not less than \$500,000 shall be expended for the replacement and renovation for the water main in the Town of Ipswich; provided further, that not less than \$500,000 shall be expended for signalization on Main Street in the Town of Wenham; provided further, that not less than \$500,000 shall be expended for signalization on Route 1 in the Town of Rowley; provided further, that not less than \$1,000,000 shall be expended for the redevelopment of the Old Town Hall building in the Town of Walpole; provided further, that not less than \$2,700,000 shall be expended for infrastructure and road improvements at the intersection of Interstate Highway Route

UNCORRECTED PROOF.

95, South Main Street, and Old Post Road in the Town of Sharon; provided further, that not less than \$2,000,000 shall be expended for the economic redevelopment in the Downtown Mixed Use Overlay District in the Town of Stoughton; provided further, that not less than \$1,000,000 shall be expended for business development along Pleasant Street in the City of Worcester; provided further, that \$1,000,000 shall be expended for the demolition of the former Microfab building in the city of Amesbury; provided further, that \$500,000 shall be expended for improvements and repairs to the Route 1 corridor located in the city of Newburyport; provided further, that \$500,000 shall be expended for improvements to the Welcome Center in the town of Salisbury; provided further, that not less than \$3,000,000 shall be expended to promote facilities that produce mass timber products for building construction located in Massachusetts gateway cities, provided that such facilities use or produce responsibly harvested wood products certified by the Forest Stewardship Council or Programme for the Endorsement of Forest Certification; provided further, that not less than \$3,000,000 shall be allocated to municipalities for upgrading traffic signals to light-emitting diode technology and intelligent transportation system applications, such as autonomous and connected vehicle-related technology, performing regional operations such as re-timing, developing special event plans and monitoring traffic signals and for maintaining and operating traffic signals; provided further, that not less than \$2,000,000 shall be made available to the Municipal Americans with Disabilities Act Improvement Grant Program, operated by the Massachusetts Office on Disability, for the purposes of supporting capital improvements specifically dedicated to improving access for persons with disabilities while enhancing economic development in cities and towns across the Commonwealth; provided further, that not less than \$1,000,000 shall be expended for the construction of an Anaerobic Digester for the City of Greenfield for sludge disposal; provided further, that \$1,000,000 shall be expended for construction, renovations, and infrastructure improvements for the Italian Home for Children campuses located in the Jamaica Plain district of the city of Boston and in the East Freetown section of the town of Freetown; provided further, that not less than \$1,500,000 shall be expended for the construction of a police station facility in the town of Newbury; provided further, that not less than \$700,000 be expended to the town of Grafton for the Westboro Road-Route 30 Sewer Extension Project; provided further, that not less than \$500,000 be expended to the town of Northbridge for the urban renewal and redevelopment of the downtown area; provided further, that not less than \$525,000 be expended to the town of Upton for the revitalization of the town center; provided further, that not less than \$500,000 be expended to the town of Grafton for the Fisherville Mill 40R Streetscape and Infrastructure

UNCORRECTED PROOF.

Improvements Project; provided further, that not less than \$400,000 be expended to the town of Northbridge for the property redevelopment study; provided further, that not less than \$2,000,000 shall be allocated for dredging of Plymouth Harbor; provided that not less than \$500,000 shall be expended for career training and costs associated with equipment upgrades for the Career and Technical Services program at Weymouth High School; provided further, than not less than \$500,000 be expended for the dredging of the Back River in the area of the Weymouth Back River boat launch facility and the nourishment of George Lane Beach; provided further, that \$3,000,000 shall be expended for the city of Lowell for the design and engineering of a 1,000 space parking garage on the site of a current surface parking lot; provided further, that \$3,000,000 shall be spent for the restoration of downtown sidewalks, lighting, street furnishings, street trees and other plantings and facade restoration grants in the city of Lowell; provided further, that not less than \$1,200,000 shall be expended for a site assessment to Rockbestos in the Town of Clinton; provided further, that not less than \$1,000,000 shall be expended for water and sewage infrastructure in the town of Northborough; provided further, that not less than \$5,000,000 shall be expended for the creation and development of a cultural highway along state highway route 62 in the towns of Hudson, Berlin, Clinton, Sterling, Princeton, Stow, and Maynard, which shall ensure the preservation of the economic, cultural, historical, agricultural and scenic aspects unique to the route and its host municipalities; provided further, that not less than \$500,000 shall be expended for the development and expansion of the Life Sciences Education and Training Center located in the Myles Standish Industrial Park in the city of Taunton; provided further, that not less than \$2,000,000 shall be expended for the façade improvement program and streetscape improvements in neighborhood business districts in the City of Worcester; provided further, that not less than \$3,500,000 shall be expended for new construction of 4,500 lineal feet of Riverside Drive with accompanying infrastructure as a Public Way within the Ludlow Mills complex; provided further, that not less than \$8,000,000 shall be expended to the town of Lee for the planning, design, and construction of a new water line from the water treatment plant into downtown Lee, for increased access to water and public safety, and to make possible the continued development of the former Eagle Mill into a mixed-use residential, retail, and hotel establishment; provided further, that not less than \$3,000,000 shall be expended to commence investigation, develop, refine, and build prototype vehicles/vessels utilizing nonpolluting sources such as photovoltaic power; said project being the beginning of a continuing process which will create long term jobs within the Commonwealth and the above work being accomplished at Massachusetts higher learning facilities; provided further, that

not less than \$2,000,000 shall be expended for the restoration and rehabilitation of the historic Everett Square Theatre in the Hyde Park section of the City of Boston; provided further, that not less than \$1,000,000 shall be expended to the City of Haverhill for the establishment of a building code upgrade fund; provided further, that not less than \$2,000,000 will be appropriated to the Massachusetts International Festival of the Arts for the restoration of the Victory Theater in Holyoke; provided further, that not less than \$2,000,000 shall be expended for Jackson Square Recreation Center in the Roxbury neighborhood of Boston; provided further, that not less than \$2,000,000 shall be expended to the Blessed Sacrament in Jamaica Plain; and provided further, that not less than \$1,000,000 shall be allocated to the Town of Dennis toward the dredging of the Sesuit Harbor.....\$116,975,000”.

On the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 143 members voted in the affirmative and 1 in the negative.

Consolidated amendments adopted,—yea and nay No. 394.

[See Yea and Nay No. 394 in Supplement.]

Therefore the consolidated amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 1, in line 2, by striking out the following: “2A and 2B” and inserting in place thereof the following: “2B and 2C”;

By inserting before item 6720-1351 the following:

“SECTION 2B.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT
Office of the Secretary”;

In line 44 by striking out the following: “2B” and inserting in place thereof the following: “2C”;

In section 46, in line 783, by striking out the figures: “1,000,000” and inserting in place thereof the figures: “2,000,000”;

In section 48, in line 806, by striking out the following: “2A” and inserting in place thereof the following: “2B”;

and in line 808 by striking out the figures: “441,250,000” and inserting in place thereof the figures: “558,225,000”;

In section 49, in line 818, by striking out the following: “2B” and inserting in place thereof the following: “2C”;

and

By inserting after section 49 the following section:

“SECTION 49A. There shall be a commission to plan, develop, and implement strategies to support and promote minority-owned real estate and financial services corporations in the commonwealth. The commission shall also identify barriers to professional licensure for socially or economically disadvantaged persons including, but not limited to, barriers to obtaining mortgage lending and broke licenses, state bank charters and insurance or carrier licenses.

The commission shall consist of the commissioner of banks, or a designee; the director of the division of professional licensure, or a designee, 1 representative of the National Association of Real Estate Brokers; and 2 minority business enterprise owners, as described in section 58 of chapter 7 of the General Laws, as appointed by the governor. The commission shall file a report of its findings and recommendations with the clerks of the senate and house of representatives and the chairs of the senate and house committees on ways and means no later than June

30, 2019.”;

And by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to finance forthwith improvements to the commonwealth’s economic infrastructure and promote economic opportunity, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call 142 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 395 in Supplement.]

Therefore the bill (House, No. 4732, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 395.

Recess.

At eighteen minutes after nine o’clock P.M. (Tuesday, July 10, 2018), on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House recessed until the following day at eleven o’clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Wednesday, July 11, 2018 (at 11:00 A.M.).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Freedom and Justice, we pray for our elected officials and their staff as they continue the work of crafting fair and just legislation for all who make Massachusetts their home. We pray for the welfare of those who are moving to our Commonwealth this summer as we recall that it was on this day in 1761 that a young girl from West Africa was purchased as a slave upon her arrival in Boston Harbor by merchant John Wheatley.

Prayer.

Given the name Phyllis, the child quickly learned the English language as was tutored in reading the Bible and also the classics of English, Latin, and Greek literature. After a trip to London where she had a book of poetry published, the Wheatley family gave Phyllis her freedom at about age 20.

Married to a freed man named John Peters, she lived the rest of her life in poverty, dying at age 30 from complications during childbirth. Her poetry was published in this country posthumously during the time of debates about slavery.

She once wrote in a letter, "In every human breast God has implanted a principle, which we call love of freedom..."

Phyllis Wheatley's statue is part of the Boston Womens' Memorial on the Commonwealth Avenue Mall in Boston.

May God continue to bless our Commonwealth.

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.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced, seated in the Chamber, students from North Attleborough High School, representing the 2018 Division II Baseball, Division II Wrestling, Division II Indoor Track, and Cheerleading Game Day state championship teams. They were the guests of Mrs. Poirier of North Attleborough.

North Attleborough High School,—championship teams.

Order.

The following order (filed by Ms. Hogan of Stow) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Tuesday July 31, 2018 within which time to make its final report on current House documents numbered 1151 and 3240.

Public Health committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4731), ought to be adopted. Under suspension of the rules, on motion of Ms. Hogan of Stow, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

UNCORRECTED PROOF

By Mr. Kulik of Worthington, a petition (subject to Joint Rule 12) of Stephen Kulik and others for legislation to further regulate the exchange of certain parcels of land between the city of Northampton and the Division of Capital Asset Management and Maintenance.

Northampton,—
land.

By Mr. Moran of Boston, a petition (subject to Joint Rule 12) of Michael J. Moran and Kevin G. Honan for legislation to authorize the commissioner of Capital Asset Management and Maintenance to grant an easement at the Chestnut Hill Reservation located in the Brighton section of the city of Boston.

Boston,—
easement.

By Ms. Whipps of Athol, a petition (subject to Joint Rule 12) of Susannah M. Whipps that the Department of Conservation and Recreation be authorized to release a watershed preservation restriction over a portion of certain land in the town of Petersham.

Petersham,—
land.

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

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reporting (under the provisions of House Rules 7B and 7C) that the Order relative to special procedures for consideration of the House Bill to increase renewable energy and reduce high-cost peak hours [House, No. 4575], the House Bill to improve grid resiliency through energy storage [House, No. 4576], and the House Bill relative to expanding resource efficiency in the Commonwealth [House, No. 3404] (for order, see House, No. 47330 ought to be adopted. The order was considered forthwith and it was adopted.

Energy.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill directing the city of Boston Police Department to waive the maximum age requirement for police officers for Hugh Trong Ngo (House, No. 4608) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering Policy and Scheduling.

Boston,—
Hugh Trong
Ngo.

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

Under suspension of the rules, on motion of Mrs. Poirier of North Attleborough, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to the appointment of retired police officers in the town of Stoneham (House, No. 4581) [Local Approval Received].

Stoneham,—
police officers.

By the same member, for the same committee, on a petition, a Bill authorizing the certification and appointment of Adam J. Silva as a firefighter in the town of Wilmington (House, No. 4631) [Local Approval Received].

Wilmington,—
Adam J. Silva.

By the same member, for the same committee, on a petition, a Bill concerning the appointment of retired Salem police officers as special police officers within the city of Salem (House, No. 4705) [Local Approval Received].

Salem,—
special police
officers.

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

Emergency Measure.

UNCORRECTED PROOF

The engrossed Bill establishing a sick leave bank for Norma Jean Silva, an employee of the Trial Court of the Commonwealth (see Senate, No. 2572), 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.

Norma Jean Silva,—
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 sent to the Senate.

Bill enacted.

Recess.

At ten minutes after eleven o'clock A.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at seven minutes after one o'clock, the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Joseph Mele, an employee of the Department of Mental Health (House, No. 4715). Read; and referred, under Rule 7A, to the committee on Steering Policy and Scheduling.

Joseph Mele,—
sick leave.

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

Under suspension of the rules, on motion of Mr. Tucker of Salem, the bill was read a second time forthwith; and it was ordered to a third reading.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to expanding resource efficiency in the Commonwealth (House, No. 3404), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4737). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Natural resources.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to increase renewable energy and reduce high-cost peak hours (House, No. 4575), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4738). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Renewable energy.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill

UNCORRECTED PROOF

was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to improve grid resiliency through energy storage (House, No. 4576), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4739). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Grid
resiliency.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the following bills ought to pass:

Providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4573);

Bonding
terms.

Providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4668); and

Id.

Providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4669).

Id.

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

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

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

Engrossed Bills.

Engrossed bills

Authorizing the town of Holliston to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4431);

Bills
enacted.

Authorizing the town of Norwood to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (see House, No. 4614); and

Providing for the designation of polling places in the city of Attleboro (see House, No. 4618);

(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.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill authorizing the commissioner of Capital Asset Management

Salem

and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (House, No. 4635), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Tucker of Salem.

Redevelopment
Authority.

Pending the question on passing the bill to be engrossed, the same member moved to amend it in section 1, in line 3, by striking out the following: “Chapter 462 of the Acts of 2016”; by adding the following section:

“SECTION 6. Chapter 462 of the Acts of 2016 is hereby repealed.”; and

By inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey a certain parcel of state owned land, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 4635, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to findings of the foundation budget review commission (House, No. 4730), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Ms. Peisch of Wellesley.

Foundation
budget.

After debate on the question on passing the bill to be engrossed, Mr. Sánchez of Boston moved to amend it in section 6, in line 41, by striking out the following: “11, 22, 50 and 58” and inserting in place thereof the following: “4, 17, 43, 85, and 117”, in line 60 by inserting after the word “levels” the words “, including a review of national practice models that ensure greater financial transparency”, in line 74 by inserting after the word “teacher” the following: “in a district of 15,000 or more students”; and by striking out section 7 and inserting in place thereof the following section:

“SECTION 7. Not later than December 31, 2018, the commissioner of the department of education shall develop an implementation plan for purposes of informing the FY 2020 budget on recommendations made by the 2015 foundation budget review commission report relative to converting the English learner increase from a base rate to an increment on the base rate, and increasing the low-income increment component of the foundation budget calculation in order to best serve low-income students and English learner populations.

The commissioner shall work with an independent research consultant with proven experience in education data and public policy research to assist in the development of implementation models, which shall include:

(i) defining the foundation budget category for ‘low-income’ and amount of increment attributable to low-income students for the purpose of calculating chapter 70 aid;

(ii) options for how districts may be grouped based on low-income enrollment for the purpose of calculating chapter 70 aid;

(iii) improvements to better align data with the executive office of health and human services for the purpose of counting low-income students, including options for improved identification methods, and efforts to encourage families to enroll in state assistance programs and ensure districts have appropriate information and outreach tools;

(iv) options for a distribution formula for holding harmless those districts the department recognizes were negatively impacted by changes made to the calculation of low-income students, including districts where the increased rate did not fully

compensate for a lower number of students identified under the economically disadvantaged metric implemented in 2016;

(v) options for changing the English learner base rate to an increment in the chapter 70 formula beginning with the FY2020 budget, including recommendations on: (a) applying the middle school increment to all grade levels in the calculation of the English learner increment; (b) the degree to which the English learner increment should be differentiated based on the various levels of support required of English learners and (c) applying the increment to vocational school students;

(vi) types of interventions, supports and practices that have proven to be effective in improving performance for low-income students and English learners and have proven successful in closing the student achievement gap in districts with large populations of low-income students, including, but not limited to: instructional improvement; a study of staffing patterns and program offerings, and the costs incurred in providing such supports; and, models for offering sufficient guidance for supporting district and school decision-making relative to effective and efficient resource allocation.

Prior to issuing a final study, the commissioner shall hold not fewer than 2 public meetings and provide ample opportunity for public and stakeholder input relative to any initial findings.

The implementation plan, together with any recommendations and findings, shall be filed with the house and senate committees on ways and means and the joint committee on education not later than December 31, 2018; provided a copy shall be made publicly available on the website of the department of elementary and secondary education.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Peisch of Wellesley; and on the roll call 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 396 in Supplement.]

Therefore the bill (House, No. 4730, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill for prevention and access to appropriate care and treatment of addiction (House, No. 4725), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Ms. Garlick of Needham.

After remarks on the question on passing the bill to be engrossed, Mr. Jones of North Reading moved to amend it by adding the following section:

“SECTION 83. Chapter 123 of the General Laws is hereby amended by inserting after section 35 the following 2 sections:-

Section 35A. (a) A clinical professional, who, after examining a person, has reason to believe that failure to commit such person for treatment would create a likelihood of serious harm by reason of an alcohol or substance use disorder may restrain or authorize the restraint of such person for transportation to an appropriate treatment facility authorized for such purposes by the department of public health or the department of mental health. For the purposes of this section, the term ‘clinical professional’ shall include a physician who is licensed pursuant to section 2 of chapter 112 or qualified psychiatric nurse mental health clinical specialist authorized to practice as such under regulations promulgated pursuant to section 80B of said chapter 112 or a qualified psychologist licensed pursuant to sections 118 to 129, inclusive, of said chapter 112, or a licensed independent clinical social

Bill passed to be engrossed,—
yea and nay
No. 396.

Addiction,—
treatment.

worker licensed pursuant to sections 130 to 137, inclusive, of chapter 112; provided, however, that the department may through regulation identify other persons who because of training and credentials shall be included within the definition of “clinical professional.”

If an examination is not possible because of the emergency nature of the case or because of the refusal of the person to consent to such examination, the clinical professional on the basis of the facts and circumstances may determine that treatment is necessary and may restrain or authorize the restraint of such person for transportation to an appropriate treatment facility authorized for such purposes by the department of public health or the department of mental health through regulation.

If a clinical professional is not available, a police officer who believes that failure to treat a person would create a likelihood of serious harm by reason of an alcohol or substance use disorder may restrain or authorize the restraint of such person for transportation to an appropriate treatment facility authorized for such purposes by the department of public health or the department of mental health through regulation.

The clinical professional or police officer shall communicate to the facility receiving a person transported under this section the reasons for the restraint of such person and any other relevant information which may assist the admitting clinician. Whenever practicable, prior to transporting such person, the clinical professional or police officer shall telephone or otherwise communicate with a facility to describe the circumstances and known clinical history and to determine whether the facility is the proper facility to receive such person and also to give notice of any restraint to be used and to determine whether such restraint is necessary.

(b) Only if the transportation for treatment under this section is authorized by a physician specifically designated to have the authority to admit to a facility in accordance with the regulations of the department of mental health or department of public health shall the person be admitted to the facility immediately after the person’s reception. If the application is made by someone other than a designated physician, the person shall be given an examination by a physician within a reasonable amount of time after the person’s reception at such facility. If the physician determines that failure to treat the person would create a likelihood of serious harm by reason of an alcohol or substance use disorder the physician may admit the person to the facility for care and treatment for up to 72 hours, during which time, staff of the substance use treatment facility shall attempt to engage the individual in voluntary treatment.

Upon admission of a person under this subsection, the facility shall inform the person that, upon the person’s request, the facility will notify the committee for public counsel services of the name and location of the person admitted. The committee for public counsel services shall forthwith appoint an attorney who shall meet with the person. If the appointed attorney determines that the person voluntarily and knowingly waives the right to be represented or is presently represented or will be represented by another attorney, the appointed attorney shall so notify the committee for public counsel services, which shall withdraw the appointment.

Any person admitted under this subsection who has reason to believe that such admission is the result of an abuse or misuse of this subsection, may request, or request through counsel an emergency hearing in the juvenile court or district court in whose jurisdiction the facility is located, and unless a delay is requested by the person or through counsel, the juvenile court or district court shall hold such hearing

on the day the request is filed with the court or not later than the next business day. The superintendent of the facility, if he or she seeks to retain the person for treatment, shall at the time of the hearing file a petition for commitment under section 35.

(c) No person shall be admitted to a facility under this section unless the person, or if the person is a minor, the person's parent or guardian, is first given an opportunity to apply for voluntary admission under section 35B.

(d) A person shall be discharged at the end of the 72-hour period unless the person has consented to treatment under section 35B. If the superintendent determines that the failure to provide continued treatment to the person would create a likelihood of serious harm by reason of an alcohol or substance use disorder, the superintendent shall file a petition under section 35 prior to discharge.

(e) Except for an act of gross negligence or willful misconduct, a police officer or a clinical professional who, acting in good faith does not transport or authorize the transport of an individual to receive treatment under subsection (a) shall not be subject to any criminal or civil liability for failure to transport an individual under this section.

(f) The department, in coordination with the department of public health, shall promulgate regulations to implement this section and section 35B.

Section 35B. (a) Pursuant to regulations on admission procedures, the superintendent of a facility may receive and treat on a voluntary basis any person who has been transported under subsection (a) of section 35A; provided, that the person is in need of care and treatment for an alcohol or substance use disorder; and provided further, that the admitting facility is suitable for such care and treatment and approved or licensed by the department of public health or the department of mental health. An application for voluntary treatment may be made by a person who has attained the age of 16 or by a parent or guardian of a person under the age of 18 years. Prior to accepting an application for a voluntary admission, the superintendent shall afford the person making the application the opportunity for consultation with an attorney, or with a person who is working under the supervision of an attorney, concerning the legal effect of a voluntary admission. The superintendent may discharge any person admitted under this subsection at any time the superintendent deems the discharge in the best interest of the person; provided, however, that if a parent made the application for admission, 14 days' notice shall be given to the parent prior to discharge.

(b) A person admitted to a facility under subsection (a) shall be free to leave such facility at any time, and any parent who requested the admission of such person may withdraw such person at any time, upon giving written notice to the superintendent; provided, however, that the superintendent may restrict the right to leave or withdraw to normal working hours and weekdays and, in the superintendent's discretion, may require the person or the person's parent to give 3 days' written notice of his or her intention to leave or withdraw. If a person or the person's parent provides a notice of intention to leave or withdraw, the superintendent may require an examination of the person to determine the person's clinical progress, the person's suitability for discharge and to investigate other aspects of the person's case including the person's legal competency and family, home or community situation. If the superintendent determines that the failure to provide continued treatment would create a likelihood of serious harm by reason of an alcohol or substance use disorder the superintendent shall file a petition under section 35.

Before accepting an application for voluntary admission where the

superintendent may require 3 days written notice of intention to leave or withdraw, the admitting or treating physician shall assess the person's capacity to understand that: (i) the person is agreeing to stay or remain at the facility; (ii) the person is agreeing to accept treatment; (iii) the person may be required to provide the facility with 3 days written advance notice of the person's intention to leave the facility; and (iv) the facility may petition a court for an extended commitment under section 35. If the physician determines that the person lacks the capacity to understand these facts and consequences, the application for voluntary admission shall not be accepted except where a parent or guardian who has applied for voluntary admission on behalf of a minor.”.

Pending the question on adoption of the amendment, Ms. Garlick of Needham moved to amend it by striking out the proposed new section and by inserting after section 77 (as printed) the following section:

“SECTION 76A. There shall be a commission established pursuant to section 2A of chapter 4 of the General Laws to study the efficacy of involuntary inpatient treatment for non-court involved individuals diagnosed with substance use disorder. The commission shall review: (i) medical literature and expert opinions on the long-term relapse rates of individuals diagnosed with substance use disorder following involuntary inpatient treatment including (a) the differences in outcomes for coerced and non-coerced patients and (b) any potential increased risk of an individual suffering a fatal overdose following a period of involuntary treatment; (ii) medical literature on length of time necessary for detoxification of opioids and recommended time following detoxification to begin medication-assisted treatment; (iii) the legal implications of holding a non-court involved individual who is diagnosed with substance use disorder but is no longer under the influence of substances; (iv) whether the current capacity, including acute treatment services, clinical stabilization services, transitional support services and recovery homes, is sufficient to treat individuals seeking voluntary treatment for substance use disorder; (v) the availability of other treatments for substance use disorder, including those treatments used in less restrictive settings; and (vi) the effectiveness of the existing involuntary commitment procedures pursuant to section 35 of chapter 123 of the General Laws at reducing long-term relapse rates.

The commission shall consist of: the house and senate chairs of the committee on mental health, substance use and recovery, who shall serve as co-chairs; the house and senate chairs of the committee on judiciary; the minority leader of the house, or a designee; the minority leader of the senate, or a designee; the secretary of the office of health and human services, or a designee; the chief justice of the trial court, or a designee; the commissioner of the department of public health, or a designee; the commissioner of the department of mental health, or a designee; an addiction expert with experience in federal and state policy on substance use disorder; and one from each of the following: Massachusetts Organization for Addiction Recovery; the Massachusetts Health & Hospital Association; the Massachusetts Medical Society; Massachusetts Psychiatric Society; Massachusetts College of Emergency Physicians; the Association for Behavioral Healthcare; the Massachusetts Association of Behavioral Health Systems; the American Civil Liberties Union of Massachusetts; the Committee for Public Counsel Services; the Massachusetts Association of Advanced Practice Psychiatric Nurses; the Massachusetts Society of Addiction Medicine; and Boston Health Care for the Homeless Program. The commission shall file recommendations, including any proposed legislation, with the clerks of the house of representatives and the senate not later July 1, 2019.”.

UNCORRECTED PROOF

Pending the question on adoption of the further amendment, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 137 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 397.

[See Yea and Nay No. 397 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. Cutler of Duxbury was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during the previous quorum roll call I was absent from the House Chamber, on official business in another part of the State House, and was not aware that a quorum roll call was taking place.

Statement of
Mr. Cutler
of Duxbury.

Subsequently a statement of Ms. Decker of Cambridge was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during the previous quorum roll call I was absent from the House Chamber, on official business in another part of the State House, and was not aware that a quorum roll call was taking place.

Statement of
Ms. Decker
of Cambridge.

Subsequently a statement of Mr. Golden of Lowell was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during the previous quorum roll call I was absent from the House Chamber, on official business in another part of the State House, and was not aware that a quorum roll call was taking place.

Statement of
Mr. Golden
of Lowell.

After debate on the question on adoption of the further amendment, the sense of the House taken by yea and nays, at the request of Mr. Jones of North Reading; and on the roll call 111 members voted in the affirmative and 36 in the negative.

Further
amendment
adopted,—
yea and nay
No. 398.

[See Yea and Nay No. 398 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Lyons of Andover and other members of the House moved to amend it by adding the following section:

“SECTION 83. Chapter 123 of the General Laws is hereby amended by inserting after section 35 the following 2 sections:—

Section 35A. (a) Any physician who is licensed pursuant to section 2 of chapter 112 or qualified psychiatric nurse mental health clinical specialist authorized to practice as such under regulations promulgated pursuant to section 80B of said chapter 112 or a qualified psychologist licensed pursuant to sections 118 to 129, inclusive, of said chapter 112, or a licensed independent clinical social worker licensed pursuant to sections 130 to 137, inclusive, of chapter 112 who, after examining a person, has reason to believe that failure to commit such person for treatment would create a likelihood of serious harm by reason of an alcohol or substance use disorder may restrain or authorize the restraint of such person and apply for the treatment of such person for a 3-day period at a facility authorized for such purposes by the department of public health or the department of mental health.

If an examination is not possible because of the emergency nature of the case

or because of the refusal of the person to consent to such examination, the physician, qualified psychologist, qualified psychiatric nurse mental health clinical specialist or licensed independent clinical social worker on the basis of the facts and circumstances may determine that treatment is necessary and may apply therefore. In an emergency situation, if a physician, qualified psychologist, qualified psychiatric nurse mental health clinical specialist or licensed independent clinical social worker is not available, a police officer, who believes that failure to treat a person would create a likelihood of serious harm by reason of an alcohol or substance use disorder may restrain such person and apply for the treatment of such person for a 3-day period at a facility authorized for such purpose by the department of public health or the department of mental health.

An application for treatment shall state the reasons for the restraint of such person and any other relevant information which may assist the admitting clinician. Whenever practicable, prior to transporting such person, the applicant shall telephone or otherwise communicate with a facility to describe the circumstances and known clinical history and to determine whether the facility is the proper facility to receive such person and also to give notice of any restraint to be used and to determine whether such restraint is necessary.

(b) Only if the application for treatment under this section is made by a physician specifically designated to have the authority to admit to a facility in accordance with the regulations of the department of mental health or department of public health shall the person be admitted to the facility immediately after the person's reception. If the application is made by someone other than a designated physician, the person shall be given an examination by a designated physician within a reasonable amount of time after the person's reception at such facility. If the physician determines that failure to treat the person would create a likelihood of serious harm by reason of an alcohol or substance use disorder the physician may admit the person to the facility for care and treatment.

Upon admission of a person under this subsection, the facility shall inform the person that, upon the person's request, the facility will notify the committee for public counsel services of the name and location of the person admitted. The committee for public counsel services shall forthwith appoint an attorney who shall meet with the person. If the appointed attorney determines that the person voluntarily and knowingly waives the right to be represented, or is presently represented or will be represented by another attorney, the appointed attorney shall so notify the committee for public counsel services, which shall withdraw the appointment.

Any person admitted under this subsection, who has reason to believe that such admission is the result of an abuse or misuse of this subsection, may request, or request through counsel an emergency hearing in the juvenile court or district court in whose jurisdiction the facility is located, and unless a delay is requested by the person or through counsel, the district court shall hold such hearing on the day the request is filed with the court or not later than the next business day. The superintendent of the facility, if he or she seeks to retain the person for treatment, shall at the time of the hearing file a petition for commitment pursuant to subsection (e).

(c) No person shall be admitted to a facility under this section unless the person, or if the person is a minor, the person's parent, is given an opportunity to apply for voluntary admission under section 35B.

(d) A person shall be discharged at the end of the 3-day period unless the superintendent applies for a commitment order under subsection (e) or the person

remains on a voluntary status.

(e) The superintendent of a facility may petition the district court or the division of the juvenile court department in whose jurisdiction the facility is located for the commitment of a person to the facility if the superintendent determines that the failure to provide continued treatment would create a likelihood of serious harm by reason of an alcohol or substance use disorder.

(f) Whenever a court receives a petition filed under subsection (e) for an order of commitment of a person to a facility, the court shall notify the person and, if under 18, the person's parent or guardian of the receipt of the petition and of the date a hearing on the petition is to be held. Except where a person has requested an emergency hearing under subsection (b), the hearing shall be commenced within 5 days of the filing of the petition, unless a delay is requested by the person or the person's counsel. The periods of time prescribed or allowed under this section shall be computed pursuant to Rule 6 of the Massachusetts Rules of Civil Procedure.

(g) After a hearing which shall include expert testimony and may include other evidence, the district court or the division of the juvenile court department shall order the commitment of the person to a facility for continued treatment if the court finds that (1) the person has an alcohol or substance use disorder, and (2) the discharge of the person from the facility would create a likelihood of serious harm as a result of the person's alcohol or substance use disorder. A person who is the subject of a petition under subsection (e) may waive the right to a hearing, in which case the court may make its finding based on the credible evidence offered in support of the petition filed pursuant to subsection (e). A waiver of the right to a hearing must be made in writing.

(h) The court shall render its decision on the petition filed under subsection (e) within 10 days of the completion of the hearing or within 10 days of the court's receipt of a written waiver of the right to a hearing by the person who is the subject of the petition; provided, that for reasons stated in writing by the court, the administrative justice for the district court department may extend the 10 day period.

(i) Upon making the finding required under subsection (g), the court may order such person to be committed for a period not to exceed 90 days, followed by the availability of case management services provided by the department of public health for up to 1 year; provided, however, that a review of the necessity of the commitment shall take place by the superintendent on days 30, 45, 60 and 75 as long as the commitment continues; and provided further, that combined periods of treatment under this section shall not exceed 90 days. A person so committed may be released prior to the expiration of the period of commitment upon written determination by the superintendent of the facility that release of that person will not result in a likelihood of serious harm. Such commitment shall be for the purpose of inpatient care for the treatment of an alcohol or substance use disorder in a facility licensed or approved by the department of public health or the department of mental health; provided further, that subsequent to the issuance of a commitment order, the department of public health and the department of mental health may transfer a patient to a different facility for continuing treatment.

If the department of public health informs the court that there are no other suitable facilities available for treatment, or if the court makes a specific finding that the only appropriate setting for treatment for the person is a secure facility, then the person may be committed to a secure facility for women approved by the department of public health or the department of mental health, if a female; or to the Massachusetts correctional institution at Bridgewater, if a male; provided, however,

that any person so committed shall be housed and treated separately from persons currently serving a criminal sentence. Such person shall, upon release, be encouraged to consent to further treatment and shall be allowed voluntarily to remain in the facility for such purpose.

The court, in its order, shall specify whether such commitment is based upon a finding that the person is a person with an alcohol use disorder, substance use disorder, or both. The court, upon ordering the commitment of a person found to be a person with an alcohol use disorder or substance use disorder pursuant to this section, shall transmit the person's name and nonclinical identifying information, including the person's social security number and date of birth, to the department of criminal justice information services. The court shall notify the person that such person is prohibited from being issued a firearm identification card pursuant to section 129B of chapter 140 or a license to carry pursuant to sections 131 and 131F of said chapter 140 unless a petition for relief pursuant to section 35 is subsequently granted.

Section 35B. (a) (1) Pursuant to regulations on admission procedures, the superintendent of a facility may receive and treat on a voluntary basis any person who has been temporarily restrained under subsection (a) of section 35A; provided, that the person is in need of care and treatment for an alcohol or substance use disorder; and provided further, that the admitting facility is suitable for such care and treatment and approved or licensed by the department of public health or the department of mental health. The application for treatment may be made by a person who has attained the age of 16 or by a parent of a person under the age of 18 years. Prior to accepting an application for a voluntary admission, the superintendent shall afford the person making the application the opportunity for consultation with an attorney, or with a person who is working under the supervision of an attorney, concerning the legal effect of a voluntary admission. The superintendent may discharge any person admitted under this subsection at any time the superintendent deems the discharge in the best interest of the person; provided, however, that if a parent made the application for admission, 14 days' notice shall be given to the parent prior to discharge.

(2) Pursuant to regulations, the superintendent of a facility may treat a person as an outpatient; provided that the application for outpatient treatment is made in accordance with paragraph (1). The superintendent may, in the best interest of the person, discontinue the outpatient treatment of a person at any time.

(b) A person admitted to a facility under subsection (a) shall be free to leave such facility at any time, and any parent who requested the admission of such person may withdraw such person at any time, upon giving written notice to the superintendent; provided, however, that the superintendent may restrict the right to leave or withdraw to normal working hours and weekdays and, in the superintendent's discretion, may require the person or the person's parent to give 3 days' written notice of his or her intention to leave or withdraw. If a person or the person's parent provides a notice of intention to leave or withdraw, the superintendent may require an examination of the person to determine the person's clinical progress, the person's suitability for discharge and to investigate other aspects of the person's case including the person's legal competency and family, home or community situation. Such person may be retained at the facility beyond the expiration of the 3 day notice period if, prior to the expiration of the 3 day notice period, the superintendent files a petition for commitment under subsection (e) of section 35A.

Before accepting an application for voluntary admission where the

superintendent may require 3 days written notice of intention to leave or withdraw, the admitting or treating physician shall assess the person's capacity to understand that: (i) the person is agreeing to stay or remain at the facility; (ii) the person is agreeing to accept treatment; (iii) the person may be required to provide the facility with 3 days written advance notice of the person's intention to leave the facility; and (iv) the facility may petition a court for an extended commitment of the person under section 35A and that the person may be held at the facility until the petition is heard by the court. If the physician determines that the person lacks the capacity to understand these facts and consequences, the application for voluntary admission shall not be accepted.”

Ms. Peake of Provincetown thereupon raised a point of order that the amendment offered by the gentleman from Andover was improperly before the House for the reason that the House had already voted to study the subject matter.

Point of order.

The Chair (Mr. Donato of Medford) stated that when the House adopted the further amendment to amendment number 18, offered by Mr. Jones of North Reading, it voted to study the subject of restraint of certain persons with substance use disorders for a period of up to 72 hours.

Since the House has voted to study the subject-matter contained within the amendment offered by the gentleman from Andover, the Chair ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mr. Dooley of Norfolk then moved to amend the bill by adding the following section:

“SECTION 83. Section 51 1/2 of chapter 111 of the General Laws, as inserted by section 32 of chapter 52 of the acts of 2016, is hereby amended by inserting after subsection (d) the following subsection:—

(d ½) A person presenting in an acute-care hospital or a satellite emergency facility who is reasonably believed by the treating clinician to be experiencing an opiate-related overdose, and who has experienced at least 1 other opiate-related overdose or potential overdose within a 30 day period, may be held, at the treating clinician's discretion, for a period up to 72 hours for treatment, evaluation, and counseling.”

Ms. Peake of Provincetown thereupon raised a point of order that the amendment offered by the gentleman from Norfolk was improperly before the House for the reason that the House had already voted to study the subject matter.

Point of order.

The Chair (Mr. Donato of Medford) stated that when the House adopted the further amendment to amendment number 18, offered by Mr. Jones of North Reading, it voted to study the subject of restraint of certain persons with substance use disorders for a period of up to 72 hours.

Since the House has voted to study the subject-matter contained within the amendment offered by the gentleman from Norfolk, the Chair ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Rushing of Boston and other members of the House then moved to amend the bill by adding the following section:

SECTION 82. Said section 24A of said chapter 94C, as so appearing, is hereby further amended by striking out clause (4) of subsection (f) and inserting in place thereof the following clause:—

(4) local, state and federal law enforcement or prosecutorial officials working with the executive office of public safety engaged in the administration, investigation or enforcement of the laws governing prescription drugs; provided, however, that the data request is in connection with a bona fide specific controlled

substance or additional drug-related investigation and accompanied by a probable cause warrant issued pursuant to chapter 276;

And striking out clause (6) of subsection (f) and inserting in place thereof the following clause:

(6) personnel of the United States attorney, office of the attorney general or a district attorney; provided, however, that the data request is in connection with a bona fide specific controlled substance or additional drug related investigation and accompanied by a probable cause warrant issued pursuant to chapter 276.”.

The amendment was adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, Ms. Malia of Boston moved to amend it by striking out sections 39 and 40 (as published) and inserting in place thereof the following two sections:

“SECTION 39. Said section 24A of said chapter 94C, as so appearing, is hereby amended by striking out subsection (g) and inserting in place thereof the following subsection:- (g) The department may provide data from the prescription monitoring program to practitioners in accordance with this section; provided, however, that practitioners shall be able to access the data directly through a secure electronic medical record or other similar secure software or information systems that enables automated query and retrieval of prescription monitoring program data to a practitioner. This data may be used for the purpose of diagnosis, treatment and coordinating care to the practitioners’ patients only, unless otherwise permitted by this section. Any such secure software or information system must identify the registered participant on whose behalf the prescription monitoring program was accessed. The department may enter into data use agreements to allow summary prescription monitoring program data to be securely retained in the patient’s medical record as a clinical note associated with a clinical encounter; provided, however, that prescription monitoring program data shall not be retained separately from said clinical note; and provided further, that no such agreement shall allow for prescription monitoring program data to be used for purposes inconsistent with this section.

SECTION 40. Said section 24A of said chapter 94C, as so appearing, is hereby further amended by adding the following subsection:- (m) The department may enter into agreements to permit health care facilities to integrate secure software or information systems into their electronic medical records for the purpose of using prescription monitoring program data to perform data analysis, compilation, or visualization, for purposes of diagnosis, treatment and coordinating care of the practitioner’s patient. Any such secure software or information system shall be bound to comply with requirements established by the department to ensure the security and confidentiality of any data transferred.”.

The amendment was adopted.

The same member then moved to amend the bill by adding the following section:

“SECTION 83. Section 27 of chapter 94C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out after the word ‘commonwealth’ the words: ‘, but only to persons who have attained the age of 18 years and’; and further moves to amend said section by striking out the second sentence in its entirety; and further moves to amend section 32I of said chapter by striking out in (d) the words: ‘to persons over the age of 18 pursuant to section 27.’”.

The amendment was adopted.

Mr. Kuros of Uxbridge and other members of the House then moved to amend

the bill by adding the following section:

“SECTION 84: Notwithstanding any special or general law there shall be a special commission to study the alternatives and develop recommendations to broaden the availability of naloxone without prescription, including but not limited to recommendations on the standing order process, the collaborative practice agreement process, and/or legislative recommendations.

The special commission shall consist of: the secretary of health and human services or their designee, who shall serve as chair; the commissioner of the division of insurance or their designee; three members to be appointed by the governor, which shall include: one person who is a prescribing physician, one person who is a stakeholder within a retail pharmacy company, and one member of the general citizenry impacted by the opiate epidemic; two members of the house of representatives, one of whom to be appointed by the minority leader; two members of the senate, one of whom to be appointed by the minority leader; the director of the board of pharmacy or their designee; the director of the bureau of substance abuse services or their designee; provided, however, that the first meeting of the commission shall take place not later than January 1, 2019.

The special commission shall submit its recommendations, together with drafts of any legislation, to the clerks of the house of representative and the senate, the chairs of the joint committee on mental health and substance abuse not later than May 1, 2019.”

The amendment was adopted.

Mr. Cullinane of Boston then moved to amend the bill by adding the following section:

“SECTION 85. Paragraph (2) of subsection (b) of section 3 of chapter 175H is hereby amended by inserting at the end thereof the following:— or for any prescription drug that is an opiate, as defined in section 1 of chapter 94C, placed by the commissioner of public health on Schedule II, pursuant to subsection (a) of section 2 of said chapter 94C.”

The amendment was adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 129 members were recorded as being in attendance.

[See Yea and Nay No. 399 in Supplement.]

Therefore a quorum was present.

After remarks on passing the bill, as amended, to be engrossed, Mr. Kuros of Uxbridge and other members of the House moved to amend it by adding the following section:

“SECTION 86: Section 35 of Chapter 123 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting at the end thereof the following new section:—

When the court is closed for business any justice of the superior, probate, district or Boston municipal court departments may grant an order of commitment provided under this section if there is a likelihood of serious harm as a result of the person's alcoholism or substance abuse. In the discretion of the justice, a warrant of apprehension may be issued for such person and an arrest may be made on said warrant, and the person may be placed in protective custody until the person may be

Quorum.

Quorum,—
yea and nay
No. 399.

presented before a justice of the superior, probate, district or Boston municipal court. Such warrant may be granted and communicated by telephone to an officer or employee of an appropriate law enforcement agency, who shall record such order on a form of order promulgated for such use by the chief justice of the trial court and shall deliver a copy of such order on the next court day to the clerk-magistrate of the court having venue and jurisdiction over the matter.

Any order issued under this section and any documentation in support thereof shall be certified on the next court day by the clerk-magistrate or register of the court issuing such order to the court having venue and jurisdiction over the matter. Such certification to the court shall have the effect of commencing proceedings under this chapter and invoking the other provisions of this chapter but shall not be deemed necessary for an emergency order issued under this section to take effect.”.

The amendment was rejected.

Mr. Dooley of Norfolk then moved to amend the bill by adding the following section:

“SECTION 86. Chapter 19 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting the following new section:—

Section 25. a) By July 1, 2019 the department shall make available an additional 100 beds to be used by those seeking treatment for opiate related addiction.”.

The amendment was rejected.

After remarks on passing the bill, as amended, to be engrossed, Mr. Vargas of Haverhill moved to amend it in section 16, in line 197, by inserting after the word “basis” the words “and shall report their payer mix to the department on a quarterly basis.”; and in section 53 (as published), in line 554, by inserting after the word “basis” the words “and report their payer mix to the department on a quarterly basis.”.

The amendments were adopted.

Mr. Brodeur of Melrose then moved to amend the bill in section 43 (as published), in line 485, by inserting after the word “worker,” the words “a licensed certified social worker,”; and the amendment was adopted.

Mrs. Campbell of Methuen and other members of the House then moved to amend the bill by inserting after section 20 the following section:

“SECTION 20A. Said chapter 19 of the General Laws, as so appearing, is hereby amended by inserting after section 24 the following section:—

Section 25. (a) Subject to appropriation, within the department of mental health, there shall be a Center for Police Training in Crisis Intervention, in this section hereinafter referred to as the center. The center shall serve as a source for cost-effective, evidence-based mental health and substance use crisis response training programs for municipal police and other public safety personnel throughout the commonwealth. The center shall conduct activities as the advisory council, pursuant to subsection (e), directs, which shall include: (i) supporting the establishment and availability of community policing and behavioral health training curricula for law enforcement personnel, particularly in interventions that provide alternatives to arrest and incarceration; (ii) serving as a clearinghouse for best practices in police interactions with individuals suffering from mental illness and substance use disorders; (iii) developing and implementing crisis intervention training curricula for all veteran and new recruit officers; (iv) providing technical assistance to cities and towns by establishing collaborative partnerships between law enforcement and human services providers that maximize referrals to treatment services; and (v) establishing metrics for success and evaluation of outcomes of

these programs.

(b) The center shall be funded with revenue from appropriations or other money authorized by the general court and specifically credited to the center, and revenue from private sources including, but not limited to, grants, both state and federal, gifts and donations received by the commonwealth that are specifically credited to the center.

(c)(1) The center shall: (i) establish regional training opportunities for municipal police as needed throughout the commonwealth; (ii) develop and maintain curricula that is updated with the latest research on best practices in community policing and behavioral health; (iii) recruit, reimburse and support trainers with experience in community policing and behavioral health crisis intervention; (iv) ensure the training is targeted to meet specific local needs of participating cities and towns and the commonwealth; (v) support police departments in implementing improved behavioral health responses through responsive policies and procedures and partnerships with community behavioral health providers; (vi) assist municipal police departments to cover backfill costs incurred in sending staff to training, provided that said reimbursement shall not exceed the actual cost of the sending department's backfill; and (vii) stipulate that each municipal police department receiving reimbursement provide information necessary for the center to evaluate the goals described in subsection (c)(3), including the percentage of the municipality's police sergeants, lieutenants and other officers who directly oversee patrol officers who have received the center's recommended training and the percentage of the municipality's patrol officers who have received the center's recommended training.

(2) Training shall include, but not be limited to information on: (i) the signs and symptoms of mental illnesses and substance misuse; (ii) mental health treatment; (iii) co-occurring disorders; (iv) responding to a mental health or substance use crisis; (v) best practices and (vi) community policing principles.

(3) The center shall develop and ensure sufficient training resources and opportunities to enable each municipality in the commonwealth to obtain the center's recommended training for not less than 25 per cent of their police sergeants, lieutenants and other officers who directly oversee patrol officers, and not less than 50 per cent of their patrol officers within a time determined by the community policing and behavioral health advisory council as described in subsection (e).

(d) The center shall publish an annual report including: (i) narrative and statistical information about training demand, delivery, cost and identified service gaps during the prior year; (ii) the effectiveness of the services delivered during the prior year; (iii) the communities that participated in the training; (iv) the number of officers, and their ranks, that participated in the training; (v) the progress each municipality has made in reaching the goals described in subsection (c)(3), including the percentage of each municipality's police sergeants, lieutenants and other officers who directly oversee patrol officers who have received the center's recommended training, and the percentage of each municipality's patrol officers who have received the center's recommended training; and (vi) a review of research analyzed or conducted during the prior year. The center shall submit the annual report by February 1st to the governor, the secretary of health and human services, the commissioner of mental health, the secretary of public safety and security, the clerks of the senate and the house of representatives, the joint committee on mental health, substance use and recovery, the joint committee on public safety and homeland security and the senate and the house committees on ways and means.

(e) There shall be a community policing and behavioral health advisory council, in this section called the council, consisting of 13 members: the secretary of health and human services or the secretary's designee, and the secretary of public safety and security or the secretary's designee who shall serve as co-chairs of the council; the commissioner of the department of mental health or the commissioner's designee; the commissioner of the department of public health or the commissioner's designee; the house chair of the joint committee on mental health, substance use and recovery; the senate chair of the joint committee on mental health, substance use and recovery; the executive director of the municipal police training committee or the director's designee; a representative of a mental health consumer advocacy group, as appointed by the secretary of health and human services; two community members who are consumers of behavioral health services, appointed by the secretary of health and human services; and three municipal police chiefs to be selected by the executive director of the Massachusetts Chiefs of Police Association, which shall include one police chief or commanding officer employed by a community with fewer than 10,000 residents; one police chief or commanding officer employed by a community with 10,000 or more residents and fewer than 60,000 residents; and one police chief or commanding officer employed by a community with 60,000 or more residents. Members of the council shall be appointed for a term of three years, and may be reappointed for consecutive three-year terms. Non-governmental council members shall serve without compensation, but each member shall be reimbursed by the commonwealth for all expenses incurred in the performance of their official duties.

The council shall advise the chairs in directing the activities of the center consistent with subsection (c), and shall receive ongoing reports from the center concerning its activities. The council shall solicit public comment in the area of community policing and behavioral health, and in so doing may convene public hearings throughout the commonwealth. The council shall hold not less than 2 meetings per year and may convene special meetings at the call of the chair or a majority of the council.”

After remarks the amendment was adopted.

Mr. Muratore of Plymouth and other members of the House then moved to amend the bill by adding the following section:

#14

“SECTION 86. Subject to appropriation, the health policy commission, in consultation with the department of public health, shall create and administer an early childhood investment opportunity grant program for programs to support and care for families with substance exposed newborns, including the study of long-term effects of neonatal abstinence syndrome on children up to the age of 18. The program shall support a model that includes both medical services and traditionally non-reimbursed services and may support services provided in clinic settings or in-home visits. The commission shall report to the joint committee on mental health, substance use and recovery and the house and senate committees on ways and means not later than 12 months following completion of the grant program on the results of the programs and the findings of the study on the long-term effects of neonatal abstinence syndrome, including their effectiveness, efficiency, and sustainability.”

The amendment was adopted.

The Chair (Mrs. Haddad of Somerset) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

Suspension of Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by

Rule 1A

yeas and nays, as required under the provisions of said rule; and on the roll call 116 members voted in the affirmative and 30 in the negative.

suspended,—
yea and nay
No. 400.

[See Yea and Nay No. 400 in Supplement.]

Therefore Rule 1A was suspended.

The Speaker being in the Chair,—

After debate on passing the bill, as amended, to be engrossed, Mr. O’Day of West Boylston and other members of the House moved to amend it in section 78 (as published), after line 804, by inserting after the word “nurse.” the following paragraph:—

#15

“‘Qualified addiction specialist,’ a treatment provider who is a physician licensed by the board of registration of medicine, a licensed advanced practice registered nurse or a licensed physician assistant, and who has a minimum of 6 months experience treating individuals with substance use disorder or is a licensed DATA-waiver practitioner under the federal Comprehensive Addiction and Recovery Act of 2016, Public Law 114-198.”

In line 810 by striking out the words “two state prisons for participation in the pilot program” and inserting in place thereof the words “six state prisons for participation in the pilot program; provided however, that all selected facilities shall make such treatment available to inmates who were receiving medication for opioid addiction immediately preceding incarceration; provided further, that three of the facilities selected shall be required to make such treatment available to eligible inmates who were not receiving medication for opioid addiction immediately preceding incarceration; provided further, that the Massachusetts Alcohol and Substance Abuse Center shall be selected as one of the three facilities required to make treatment available to eligible inmates who were not receiving medication for opioid addiction immediately preceding incarceration”

In line 820 by inserting after the word “provider” the words “who shall be a qualified addiction specialist,”; and

In line 821 by inserting after the word “necessary.” the following sentence: “Facilities selected to make medication-assisted treatment available to eligible inmates who were not receiving medication for opioid addiction immediately preceding incarceration shall make such treatment available to any person for whom such treatment is determined to be medically appropriate by a qualified addiction specialist.”

The amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 4, in lines 92, 93 and 94, by striking out the paragraph contained in those lines, and in line 112 by inserting after the word “grants” the words “, including providing funds to the department of public health to provide technical assistance, training and guidance to support applicants in completing grant applications and to grantees to develop and evaluate programs”;

#16

In section 31 (as published), in line 358, by striking out the words “times the pharmacist dispenses an opioid antagonist” and inserting in place thereof the words “opioid antagonist doses dispensed”;

In section 32 (as published), in line 378, by striking out the word “dispenses” and inserting in place thereof the word “prescribes”

In line 386 by inserting after the word “law.” the following sentence: “When an electronic or written prescription is issued pursuant to this subsection, the practitioner shall indicate on the electronic or written prescription that such prescription is being issued to document an oral prescription.”;

By inserting after section 32 (as published) the following two sections:

UNCORRECTED PROOF

“SECTION 31A. Section 21 of said chapter 94C, as so appearing, is hereby amended by inserting after the word ‘written’, in line 1, the following words:—, electronic.

SECTION 31B. Said section 21 of said chapter 94C, as so appearing, is hereby further amended by inserting after the word ‘oral’, in line 28, the following words:—, electronic.”;

In section 37 (as published), in line 415, by inserting after the word “situations” the following: “defined by the commissioner pursuant to section 17”;

In section 75 (as published), in line 715, by striking out the figures: “11” and inserting in place thereof the figures: “13”, and

In line 720 by inserting after the word “Plans” the following: “; 1 representative from the Massachusetts Psychiatric Society; 1 representative from Blue Cross Blue Shield of Massachusetts”;

In section 77 (as published), in line 759, by inserting after the word “but” the word “not”; and

By inserting after section 76A (inserted by amendment) the following section:

“SECTION 76B. (a) There shall be a commission to review and make recommendations about appropriate prescribing practices related to the most common oral and maxillofacial surgical procedures, which shall include the removal of wisdom teeth. The commission shall engage with drug manufacturers to create a pre-packaged product such as a blister pack or z-pack to be used in connection with common oral and maxillofacial surgical procedures that will provide patients with an appropriate, standard post-procedure dosage and quantity of commonly prescribed drugs.

(b) The commission shall be comprised of: the commissioner of public health or a designee, who shall serve as chair, a representative from the Massachusetts Dental Society, and 5 persons who shall be appointed by the commissioner of public health: 1 of whom shall be an oral surgeon; 1 of whom shall be a nurse with expertise in maxillofacial surgical procedures; 1 of whom shall represent a dental school; and 2 of whom shall have expertise in pain management.

(c) The commission shall file its recommendations, including any recommendations for legislation, with the clerks of the senate and the house of representatives 18 months from the effective date of this act.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Garlick of Needham; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 401 in Supplement.]

Therefore the bill (House, No. 4742, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 401.

Recess.

At twenty-five minutes after nine o’clock P.M. (Wednesday, July 11, 2018), on

Recess.

UNCORRECTED PROOF

motion of Mrs. Orrall of Lakeville (Mrs. Haddad of Somerset being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Thursday, July 12, 2018 (at 11:00 A.M.).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Creation and Recreation, we give You thanks for these pleasant summer days of low humidity. We give You thanks also for the care and concern our state government has shown its citizens as we note today marks the anniversary of the creation of the first public beach in the United States.

Prayer.

Revere Beach had been a jumble of private shanties and small stores until the then-newly created Metropolitan Parks Commission, the fore-runner of today's Department of Conservation and Recreation, took control of the land in 1895 and created a more natural setting for urban dwellers to escape the heat and the crowded cities of Boston and Lynn.

We pray for Revere's Representatives: 16th and 19th Suffolk District Roselee Vincent and Robert DeLeo and their staff.

May God continue to bless our Commonwealth.

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.

Guests of the House.

During the session (Mr. Cabral of New Bedford took the Chair), declared a brief recess and introduced the President of the National Assembly of Cape Verde, Jorge Pedro Maurício dos Santos, who addressed the House briefly. At the invitation of the Chair (Mr. Cabral), Mr. Carvalho of Boston, took the Chair and welcomed President Santos. President Santos was the guest of the Portuguese American Legislative Caucus.

Jorge Pedro
Maurício dos
Santos.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Vicki Lowe for her outstanding service and dedication to the community of Foxborough; and

Vicki
Lowe.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Jon Fuller on his retirement;

Jon
Fuller.

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 Ms. Peake, 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 Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 4750) of John W. Scibak (by vote of the town) relative to the position of appointed tax collector in the town of Hadley; and

Hadley,—
tax collector.

UNCORRECTED PROOF.

By the same member, a petition (accompanied by bill, House, No. 4751) of John W. Scibak (by vote of the town) relative to the position of appointed treasurer in the town of Hadley;

Hadley,—
treasurer.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Papers from the Senate.

Bills

Relative to the provision of group health insurance benefits in the town of Athol (Senate, No. 1418) (on a petition); and

Athol,—
health insurance.

Authorizing the town of Sturbridge to issue one additional license for the sale of all-alcoholic beverages not to be drunk on the premises at 122 Main Street (Senate, No. 2507) (on a petition) [Local Approval Received];

Sturbridge,—
liquor
license.

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.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2596) of Marc R. Pacheco and Keiko M. Orrall (by vote of the town) for legislation to authorize the town of Berkley to grant an additional license for the sale alcoholic beverages not to be drunk on the premises. To the committee on Consume Protection and Professional Licensure.

Berkley,—
liquor
license.

Petition (accompanied by bill, Senate, No. 2597) of Ryan C. Fattman and Joseph D. McKenna (by vote of the town) for legislation to authorize the town of Sutton to grant real property abatements to certain military personnel. To the committee on Revenue.

Sutton,—
abatements.

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 petition of Susannah M. Whipps that the Department of Conservation and Recreation be authorized to release a watershed preservation restriction over a portion of certain land in the town of Petersham. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Petersham,—
land.

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

Designating a certain bridge in the town of Burlington as the Lance Corporal Gregory E. MacDonald memorial bridge (House, No. 4569);

Burlington,—
bridge.

To establish an appointed highway superintendent in the town of Groveland (House, No. 4620) [Local Approval Received];

Groveland,—
highway.

Authorizing the certification and appointment of Adam J. Silva as a firefighter in the town of Wilmington (House, No. 4631) [Local Approval Received]; and

Wilmington,—
Adam Silva.

Granting certain retirement benefits to fire fighter Scott Holt (House, No. 4676)

UNCORRECTED PROOF.

[Local Approval Received];

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Bill improving medical decision making (House, No. 4593), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Incapacitated persons,—
medical decisions.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 4083, an Order relative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of a certain House document concerning economic development (House, No. 4697).

Robotics center,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 4422, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning education (House, No. 4728).

School lunches,—
study.

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on House, No. 2891, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of a certain House document concerning capital reimbursements to a nursing facility (House, No. 4745).

Nursing facility reimbursements,—
study.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on House, No. 4165, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning campaign finance (House, No. 4698).

Campaign finance,—
study.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 2777, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning NPDES (House, No. 4699) [Representative Berthiaume of Spencer dissenting].

NPDES,—
study.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 653, 655, 662, 677, 705 and 3006, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning production and manufactured housing (House, No. 4740) [Representative Diehl of Whitman dissenting].

Production and manufactured housing,—
study.

By the same member, for the same committee, on House, Nos. 663, 664, 681, 682, 687, 688, 689, 693, 694, 697, 698, 699, 700, 701, 702, 2239, 2240, 2244, 3008, 3012, 3016, 3985 and 3986, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning condominiums (House, No. 4743). [Representative DeCoste of Norwell dissenting].

Condominiums, etc.,—
study.

By the same member, for the same committee, on House, Nos. 649, 654, 683, 2246, 3017, 3018, 3019 and 3541, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning expiring use (House, No. 4744).

Expiring use, etc.,—
study.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, Nos. 1001, 1002, 1004, 1008, 1009, 1010, 1011, 1016, 1017, 1018, 1019, 1020, 1022, 1024, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1036, 1039, 1041, 1045, 1046, 1048, 1049, 2368, 2374, 2375, 3138, 3144, 3148, 3155, 3459, 3592, 3771 and 3893, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain

Labor and workforce development,—
study.

House documents concerning labor and workforce development (House, No. 4729).

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1686, 1704 and 1729 and House, Nos. 1666, 1689, 1690, 1718, 2672, 3377 and 3814, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain Senate and House documents concerning state administration (House, No. 4683).

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

Subsequently, 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 Miss Gregoire of Marlborough, for the committee on Elder Affairs, on Senate, No. 2039 and House, No. 2077, a Bill relative to assisting elders and people with disabilities in the Commonwealth (House, No. 2077). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing Commercial Wharf East Condominium Association under the Tidelands Public Trust Doctrine and preventing residents from being forced to leave (House, No. 4505).

By the same member, for the same committee, on a petition, a Bill authorizing the town of Orleans to establish an affordable housing trust fund (House, No. 4645) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill to remove auditor position from city charter to instead create position under city ordinance, remove residency requirement, and to set term limits (House, No. 4652) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the powers and duties of the town manager in the town of Hanover (House, No. 4658) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill changing the name of the board of selectmen of the town of North Reading (House, No. 4690) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill amending the membership of the representative town meeting of Norwood (House, No. 4718) [Local Approval Received].

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

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate Bill relative to the charter of the town of Sutton (Senate, No. 1131, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O'Day of West Boylston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Land, etc.,—
study.

Elders,—
assistance.

Boston,—
condominiums.

Orleans,—
affordable
housing.

Holyoke,—
auditor.

Hanover,—
town manager.

North Reading,—
board of
selectmen.

Norwood,—
town meeting.

Sutton,—
charter.

UNCORRECTED PROOF.

The House Bill providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (printed in House, No. 4573) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cabral of New Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Housing,—
Bonds.

The House Bill providing for the terms of certain bonds for continued investment in the life sciences industry to be issued by the Commonwealth (printed in House, No. 4668) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cabral of New Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Life
sciences,—
bonds.

The House Bill providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (printed in House, No. 4669) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cabral of New Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Capital
improvements,—
bonds.

Recess.

At fourteen minutes after eleven o'clock A.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-six minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Mariano of Quincy, Roy of Franklin, Hunt of Sandwich while said members are involved in conference committee negotiations during today's session.

Health care
bill conferees,—
voting.

Petition.

Mr. Petrolati of Ludlow being in the Chair,—

Mr. Gentile of Sudbury presented a petition (subject to Joint Rule 12) of Carmine L. Gentile and Jack Lewis that the town of Sudbury and the city of Framingham be authorized to expend funds for the purchase of land for the Bruce Freeman Rail Trail; and the same was referred, under Rule 24, to the committee on Rules.

Bruce Freeman
Rail Trail.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Gentile of Sudbury, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Economic

Development and Emerging Technologies. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill further regulating the disability benefits provided for certain police officers and fire fighters (House, No. 2515, amended) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, by said branch with an amendment striking out section 1 (as published) and inserting in place thereof the following section:

Disability
benefits.

“SECTION 3. Section 111F of chapter 41 of the General Laws, as amended by section 8 of chapter 161 of the acts of 2017, is hereby further amended by adding the following paragraph:-

The presumption established in section 94B of chapter 32 shall apply in determining eligibility for leave without loss of pay under this section when such leave is taken: (i) by a person serving in a position covered by both this section and said section 94B of said chapter 32; and (ii) as a result of a disabling condition of cancer identified in said section 94B of said chapter 32.”

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.

Reports of Committees.

By Mr. O’Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank, Nantucket Conservation Foundation, Inc., or Sconset Trust, Inc. for the same purposes (House, No. 4688) [Local Approval Received].

Nantucket,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Nantucket to transfer, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for water supply and water protection purposes to the town of Nantucket for roadway purposes (House, No. 4689) [Local Approval Received].

Id.

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

Mr. Murphy of Weymouth, for said committee, then reported that the bills be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Fernandes of Falmouth, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Mr. Donato of Medford in the Chair,—

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (House, No. 4663) [Local Approval Received], be scheduled for consideration by the House.

Worcester,—
Brian Patrick
Carroll.

Under suspension of Rule 7A, on motion of Mr. Cabral of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

UNCORRECTED PROOF.

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

Relative to the appointment of retired police officers in the town of Stoneham (House, No. 4581) [Local Approval Received]; and

Concerning the appointment of retired Salem police officers as special police officers within the city of Salem (House, No. 4705) [Local Approval Received];

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

Stoneham,—
special police.

Salem,—
special police.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (see House, No. 4484), 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.

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 39 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 sent to the Senate.

Barbara
Harrington,—
sick leave.

Bill
enacted.

Engrossed Bills.

The engrossed Bill protecting the rights of custodial and other non-teaching employees of school districts (see House, No. 1390, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared 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

Relative to the charter of the town of Sutton (see Senate, No. 1131, amended) (which originated in the Senate);

Further regulating the disability benefits provided for certain police officers and fire fighters (see House, No. 2515, amended); and

Authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of clause forty-first C¹/₂ of Section 5 of Chapter 59 of the General Laws (see House, No. 4249);

(Which severally originated in the House);

Severally were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to energy efficiency (House, No. 1724, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time

Energy
efficiency.

forthwith, under suspension of Rule 47, on motion of Ms. Benson of Lunenburg.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4749), which was read; and the amendment was adopted.

After remarks on the question on passing the substituted bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the Ms. Benson; and on the roll call 145 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 402 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4749) then was sent to the Senate for concurrence.

The House Bill authorizing the county of Dukes County to borrow funds to pay costs of wastewater treatment facility improvements, capital improvements and capital equipment at the Martha's Vineyard Airport (House, No. 4506) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Fernandes of Falmouth.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 3 and inserting in place thereof the following three sections:

“SECTION 3. The county commissioners of the county of Dukes County may raise and expend a sum not exceeding \$690,746 to pay costs of making various capital improvements at and acquiring items of capital equipment for the Martha's Vineyard Airport, and for the payment of all other costs incidental and related thereto.

SECTION 4. For the purposes of section 3, the treasurer of the county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding in the aggregate \$690,746, and may issue bonds or notes of the county therefor, which shall be designated on their face Dukes County Airport Improvement Loan, Act of 2018. Each authorized issue shall constitute a separate loan and such loans shall be issued for not more than 30 years. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such bonds or notes at public sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Section 38 of chapter 35 of the General Laws shall not apply to the issuance of any bonds of the county pursuant to this section, and section 39B of chapter 35 of the General Laws shall not apply to the issuance by the county of any notes pursuant to this section in anticipation of bonds, or in anticipation of federal or state grants. Indebtedness incurred under this section shall, except as provided in this act, be subject to chapter 35 of the General Laws.

SECTION 5. This act shall take effect upon its passage.”

The amendment was adopted; and the bill (House, No. 4506, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Sharon to use of a certain parcel of land for general municipal purposes (House, No. 4633), having been reported by said the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton; and it was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 402.

Dukes County,—
Martha's
Vineyard airport.

Sharon,—
land.

The House Bill relative to expanding resource efficiency in the Commonwealth (House, No. 4737), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Golden of Lowell.

Resource
efficiency.

After debate on the question on passing the bill to be engrossed, Messrs. Smizik of Brookline and Cutler of Duxbury moved to amend it in section 2, in line 17, by inserting after the word “shipped” the words “; and provided further, that the term ‘computer’ shall not include a tablet, a game console, a television, a device with an integrated and primary display that has a screen size of 20 square inches or less, a server other than a small-scale server, or an industrial computer”; and in section 16, in line 181, by striking out the following: “as adopted on December 14, 2016” and inserting in place thereof the words “as in effect on the date of enactment of this Act”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Golden of Lowell; and on the roll call 146 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 403.

[See Yea and Nay No. 403 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4737, amended) then was sent to the Senate for concurrence.

The House Bill to improve grid resiliency through energy storage (House, No. 4739), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Golden of Lowell.

Energy
storage.

After remarks on the question on passing the bill to be engrossed, Mrs. Ferguson of Holden moved to amend it by adding the following four sections:

“SECTION 5. Said section 139 of said chapter 164, as so appearing, is hereby further amended by inserting after the word ‘charges’, in line 85, the second time it appears, the following words:- , including demand charges as part of a monthly minimum reliability contribution except as authorized under subsection (j).

SECTION 6. Said section 139 of said chapter 164, as so appearing, is hereby further amended by inserting after the word ‘system’, in line 150, the following words:- ; provided, however, that a distribution company shall not assess a demand charge unless it is a charge based on demand during a predetermined portion of the hours of a day defined as peak hours of system demand and unless the distribution company has informed all of its customers of the manner in which any such demand charges are assessed; and provided further, that a distribution company shall only assess a demand charge if metering functionality or technology is available to the customer at a reasonable cost to provide the customer with near real time access to electricity usage data.

SECTION 7. Said section 139 of said chapter 164, as so appearing, is hereby further amended by striking out, in lines 175 to 177, inclusive, the words ‘; provided that, the date designated by the department shall be not later than December 31, 2018’.

SECTION 8. Sections 5, 6 and 7 shall apply to any monthly minimum reliability contribution, including a monthly minimum reliability contribution approved by the department of public utilities to take effect on or before December 31, 2018. Any monthly minimum reliability contribution approved by the department of public utilities prior to the effective date of this section and said

sections 5, 6 and 7 that does not meet the requirements of said sections shall be refiled for review and approval by the department before taking effect.”.

The amendment was rejected.

Ms. Barber of Somerville and other members of the House then moved to amend the bill by inserting after section 3 the following two sections:

“SECTION 3A. Said Chapter 164 of the General Laws is hereby further amended by adding the following section:

Section 147. (a) For the purposes of this section, ‘lost and unaccounted for gas’ shall mean an amount of gas that is the difference between the total gas purchased by a gas company and the sum of: (i) total gas delivered to customers; and (ii) total gas used by a gas company in the conduct of its operations.

(b) The department shall issue regulations requiring all gas companies to report to the department, in a uniform manner, lost and unaccounted for gas for each year. Such standards shall include: (i) a method using operational and billing data to determine the total amount of lost and unaccounted for gas and to identify and measure each of its components; and (ii) a method using engineering characteristics and operational data to identify and measure all sources and locations where lost and unaccounted for gas occurs in the natural gas systems.

(c) The department may grant waivers from regulatory requirements as necessary for the development of innovative projects to reduce lost and unaccounted for gas. Such innovative projects shall be intended to reduce costs to ratepayers and to reduce greenhouse gas emissions. An application for a waiver shall include the goals of the innovative project, the expected cost, the expected benefit to ratepayers and the expected reduction in greenhouse gas emissions.

SECTION 3B. Section 147 of chapter 164 of the General Laws shall take effect on January 1, 2020; provided, however, that the regulations required to implement said section 147 of said Chapter 164 shall be promulgated and in effect not later than December 31, 2019.”.

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Golden of Lowell; and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 404 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4739, amended) then was sent to the Senate for concurrence.

Mr. Petrolati of Ludlow in the Chair,—

The House Bill amending the charter of the city known as the town of Bridgewater (House, No. 4500), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. D’Emilia of Bridgewater.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4752), 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 to increase renewable energy and reduce high-cost peak hours (House, No. 4738), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules,

Bill passed to be engrossed,—
yea and nay
No. 404.

Bridgewater,—
charter.

Renewable
energy.

on motion of Mr. Golden of Lowell.

After remarks on passing the bill to be engrossed, Mr. McGonagle of Everett moved to amend it in section 6 by adding the following sentence: “Each annual increase shall be prospective for new customer contracts entered into by the retail electricity suppliers after the increase goes into effect.”; and

In section 7, in line 48, by inserting after the word “department.” the following sentence: “The initial application of this requirement and each annual increase shall be prospective for new customer contracts entered into by the retail electricity suppliers after the increase goes into effect.”.

The amendments were adopted.

Mrs. Ferguson of Holden and other members of the House then moved to amend the bill in section 7 by adding the following paragraph: “(d) This section shall not apply to municipal lighting plants.”.

The amendment was adopted.

Mrs. Haddad of Somerset then moved to amend the bill in section 4, in line 23, by striking out the following: “Class 1”; and in line 24 by inserting after the following: “(c)” the following: “or (d)”; and the amendments were adopted.

Mr. Hecht of Watertown then moved to amend the bill in section 2, in line 13, by inserting after the word “time” the words “, including, but not limited to time-of-use rates for residential and small commercial and industrial customers”; and

In section 7, in lines 57 to 59, inclusive, by striking out the text contained in those lines and inserting in place thereof the following: “(iii) the establishment of a minimum percentage of clean peak certificates that must be derived from demand response resources; (iv) an alternative compliance mechanism for retail electricity suppliers; and (v) the procedures by which each retail electricity supplier shall annually submit for the department’s review a filing demonstrating its compliance with the requirements of this section”.

The amendments were adopted.

Mr. Dooley of Norfolk then moved to amend the bill by adding the following section:

“SECTION 10. (a) Notwithstanding any general or special law to the contrary, there shall be established a special commission to study and report on the advertising practices of the solar energy industry. The commission shall be composed of 7 members: 2 members of the House of Representatives, 1 of whom shall be appointed by the Speaker of the House and 1 of whom shall be appointed by the Minority Leader of the House; 2 members of the Senate, 1 of whom shall be appointed by the Senate President and 1 of whom shall be appointed by the Minority Leader of the Senate; and 3 members appointed by the Governor; 1 of whom shall be a representative of the solar energy industry, 1 of whom shall be a representative of the utility companies, and 1 of whom shall be an expert in the area of advertising and marketing law.

The scope of the commission shall include, but shall not be limited to studying the advertising practices of businesses and the major players in the solar energy industry, discovering any fraudulent or deceptive advertising or trade practices carried out by players in the solar energy industry, and making recommendations on changes, legislative and otherwise, to ensure that prospective and current consumers of the solar energy industry are adequately protected.

(b) The commission shall report the results of its investigation and its recommendations by filing a report with the Clerk of the Senate; the Clerk of the House of Representatives; the Department of Energy Resources; the Joint Committee on Consumer Protection and Professional Licensure; and the Joint

Committee on Telecommunications, Utilities and Energy no later than one year after the first meeting of the commission is convened.

(c) The commission shall conduct its first meeting no later than 60 days after the effective date of this act.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 35 members voted in the affirmative and 109 in the negative.

[See Yeas and Nays No. 405 in Supplement.]

Therefore the amendment was rejected.

Mr. Mahoney of Worcester then moved to amend the bill in section 3, in line 18, by inserting after the word “operation” the following: “, or installed incremental new capacity at an existing energy storage system, as defined in section 1 of chapter 164.”; and the amendment was adopted.

Mrs. Haddad of Somerset then moved to amend the bill by inserting after section 7 the following section:

“SECTION 7A. Notwithstanding any general or special law to the contrary, the department of energy resources shall investigate the necessity, benefits and costs of requiring distribution companies, as defined in section 1 of chapter 164 of the General Laws, to conduct additional offshore wind generation solicitations and procurements of up to 1,600 megawatts of aggregate nameplate capacity, by December 31, 2035 in addition to those required by chapter 169 of the Acts of 2008, as amended by chapter 188 of the Acts of 2016. The department shall determine whether additional solicitations and procurements are necessary to meet the commonwealth’s energy policy goals, including the goals of chapters 169 and 298 of the Acts of 2008. The department shall make recommendations that include, but are not limited to: (i) improvements to the procurement process outlined in chapter 188 of the acts of 2016; (ii) the effect on commercial fisheries and operations; (iii) the impact on ratepayers, including distribution customers; and (iv) the potential economic benefits of such a procurement. The department shall file the report with the house and senate clerks and the joint committee on telecommunications, utilities and energy no later than July 31, 2019.”

The amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 6, in line 35, by striking out the date: “December 31, 2020” and inserting in place thereof the date: “July 31, 2019”; and in line 36 by striking out the date: “December 31, 2030” and inserting in place thereof the date: “July 31, 2029”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Golden of Lowell; and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 406 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4756, published as amended) then was sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Amendment
rejected,—
yea and nay
No. 405.

Bill passed to
be engrossed,—
yea and nay
No. 406.

Next
sitting.

Messrs. Crocker of Barnstable, Hunt of Sandwich and Whelan of Brewster moved that when the House adjourns today, it do so in respect to the memory of John F. Alymer, a member of the Senate from the Cape, Plymouth and Islands District from 1971 to 1982, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-seven minutes before seven o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 16, 2018.

[77]

JOURNAL OF THE HOUSE.

Monday, January 5, 2018.

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.

A message from His Excellency the Governor recommending legislation relative to making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4758), was filed in the office of the Clerk on Friday, July 13.

Supplemental
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Orders.

The following order (filed by Mr. Roy of Franklin) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Tuesday, July 31, 2018 within which time to make its final report on a current House document numbered 4623.

Health Care
Financing,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4761), ought to be adopted. Under suspension of the rules, on motion of Mr. Roy, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Benson of Lunenburg) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Tuesday, July 31, 2018 within which time to make its final report on a current House document numbered 4615.

State
Administration
and Regulatory
Oversight,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4762), ought to be adopted. Under suspension of the rules, on motion of Ms. Benson, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

UNCORRECTED PROOF.

By Representative Berthiaume of Spencer and Senator Gobi, a joint petition (accompanied by bill, House, No. 4763) of Donald R. Berthiaume, Jr., and Anne M. Gobi (by vote of the town) relative to the health insurance and other benefits in the town of East Brookfield; and

East
Brookfield,—
benefits.

By Representative Kuros of Uxbridge and Senator Fattman, a joint petition (accompanied by bill, House, No. 4764) of Kevin J. Kuros and Ryan C. Fattman (by vote of the town) that the town of Blackstone be authorized to continue the employment of fire chief Michael Sweeney;

Blackstone,—
Michael
Sweeney.

Severally to the committee on Public Service.

By Representative Smizik of Brookline and Senator Creem, a joint petition (accompanied by bill, House, No. 4765) of Frank I. Smizik and Cynthia Stone Creem (by vote of the town) that the town of Brookline be authorized to raise the income threshold for senior real property tax deferrals in said town. To the committee on Revenue.

Brookline,—
senior property
tax deferral.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill relative to findings of the foundation budget review commission (House, No. 4741), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2600.

Foundation
budget.

Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Peisch, Cronin of Easton and Ferguson of Holden were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Chang-Diaz, DiDomenico and O'Connor had been joined as the committee on the part of the Senate.

Id.

A Bill relative to the Massachusetts teacher retirement system (Senate, No. 2592) (on Senate bill No. 2209); and

Teachers,—
retirement.

A Resolve creating a commission on remediating lead in drinking water of schools and early childhood centers (Senate, No. 2595) (on Senate bill No. 2465);

Schools,—
lead.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

To protect rental car customers (Senate, No. 98) (on a petition);

Rental cars.

Relative to civil service resident preference (Senate, No. 1389) (on a petition);

Civil service,—
preference.

and

Eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 2594) (on Senate bill No. 50);

Individuals with
disabilities.

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 report of the committee on Health Care Financing, asking to be discharged

Home care,—

from further consideration of the Senate Bill relative to home care workforce initiatives (Senate, No. 2558), and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

workforce
initiatives.

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 Stephen Kulik and others for legislation to further regulate the exchange of certain parcels of land between the city of Northampton and the Division of Capital Asset Management and Maintenance; and

Northampton,—
land.

Petition (accompanied by bill) of Michael J. Moran and Kevin G. Honan for legislation to authorize the commissioner of Capital Asset Management and Maintenance to grant an easement at the Chestnut Hill Reservation located in the Brighton section of the city of Boston;

Boston,—
land.

Severally to the committee on State Administration and Regulatory Oversight.

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

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

Authorizing Commercial Wharf East Condominium Association under the Tidelands Public Trust Doctrine and preventing residents from being forced to leave (House, No. 4505);

Boston,—
condominiums.

Changing the name of the board of selectmen of the town of North Reading (House, No. 4690) [Local Approval Received]; and

North Reading,—
selectmen.

Amending the membership of the representative town meeting of Norwood (House, No. 4718) [Local Approval Received];

Norwood,—
town meeting.

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

Report of the committee on Housing, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4580) of Christine P. Barber (with the approval of the mayor and city council) relative to reconstruction of the state funded Clarendon Hill Public Housing Project by the Somerville Housing Authority in the city of Somerville.

Somerville,—
public
housing.

Under suspension of the rules, on a motion of Mr. Honan of Boston, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 656, 661, 674, 679, 692, 696, 3007, 3011, 3014 and 3701, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning public housing (House, No. 4754) [Representative

Public
housing,—
study.

Diehl of Whitman dissenting].

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 1739, 1746, 1748, 1751, 2700, 2706, 2709, 3396, 3634, 4149, 4151 and 4222, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning telecommunications, utilities and energy (House, No. 4684).

Telecommunications, utilities and energy,— study.

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

Subsequently, 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. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4674, a Bill releasing certain land in Northfield from the operation of an agricultural covenant (House, No. 4757).

Northfield,— land.

By the same member, for the same committee, on House, No. 4673, a Bill relative to the release of certain land in Rowley from operation of an agricultural covenant (House, No. 4759).

Rowley,— land.

By Ms. Benson of Lunenburg, for the committee on State Administration, on House, No. 4626, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement to the town of New Salem (House, No. 4760).

New Salem,— land.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill repealing the act establishing the Nantucket Mosquito Control Project (House, No. 4644) [Local Approval Received].

Nantucket Mosquito Control Project.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for cemetery purposes (House, No. 4717) [Local Approval Received].

Nantucket,— land.

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

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill relative to net metering (House, No. 4577), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Net metering.

Orders of the Day.

House bills

Authorizing the city of Beverly to continue the employment of Paul Cotter as fire chief (House, No. 4488) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

UNCORRECTED PROOF.

Further regulating the Buzzards Bay Water District (House, No. 4523) (its title having been changed by the committee on Bills in the Third Reading); and

Directing the City of Boston Police Department to waive the maximum age requirement for police officers for Hugh Trong Ngo (House, No. 4608);

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 House Bill authorizing the town of Otis to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4622) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Otis,—
liquor
license.

Pending the question on passing the bill to be engrossed, the Mr. Speliotis of Danvers moved to amend it in section 1, in line 12, by inserting after the word “no” the words “longer in use at the location of original issuance.”

The amendment was adopted; and the bill (House, No. 4622, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At thirteen minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at four minutes after two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Paper from the Senate.

The House Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 4671), came from the Senate passed to be engrossed, in concurrence, with amendments in section 3, in line 14, inserting after the word “resides” the words “; provided, however, that an automatic voter registration agency that collects and transmits applicant data electronically shall ensure that the applicant data is transmitted to the state secretary, who shall transmit such information to the board of registrars or election commission of the city or town where the applicant resides” and

Automatic
voter registration.

In line 16 inserting after the word “transmission” the words “, the frequency and nature of such transmissions”;

In section 4, in lines 29 and 30, striking out the words “location where eligible citizens may register as voters, provided they are state agencies” and inserting in place thereof the words “state agency where an eligible citizen may register as a voter”;

In lines 37 and 38 striking out the sentence contained in those lines and inserting in place thereof the following sentence: “The state secretary shall enter into memoranda of understanding with the registry of motor vehicles and with the division of medical assistance and commonwealth health insurance connector authority who shall serve as automatic voter registration agencies; provided, however, that the terms of such memoranda shall include, without limitation, the timeline for the establishment or enhancement of interfaces and the schedule for

data to be shared between the secretary's office and the automatic voter registration agencies; provided further, that only information obtained by the registry of motor vehicles from driver's license transactions and identification card transactions shall be used for automatic voter registration purposes.”,

In line 60 striking out the sentence contained in those lines and inserting in place thereof the following paragraph:

“(c) An agency that has entered into a memorandum of understanding to become an automatic voter registration agency shall: (i) conduct automatic voter registration, as specified by subsections (d) to (g), inclusive; (ii) work with the state secretary to implement this chapter and meet the goals of automatic voter registration enumerated in section 65; and (iii) provide notice to each applicant: (A) explaining that the agency application shall serve as an attestation to eligibility and an application to register to vote unless the person declines to be registered; (B) informing the applicant of the eligibility requirements to register to vote; and (C) advising the applicant that non-citizens are ineligible to register, and that the agency must decline to register an applicant unless the applicant is a United States citizen and is otherwise eligible to register to vote.”,

In line 65 striking out the word “Each” and inserting in place thereof the words “In accordance with the memorandum of understanding required by subsection (b), each”,

In line 68 inserting after the figures: “65” the following: “; provided, however, that an applicant who meets the qualifications to register to vote, does not decline to register to vote and completes a qualifying transaction with an automatic voter registration agency not less than 21 days prior to an election shall be entitled to vote in that election”;

In lines 68 and 69 striking out the sentence contained in those lines;

In lines 75 to 84, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(e) For each applicant, an automatic voter registration agency shall transmit electronic records containing information on the applicant's legal name, age, residence, citizenship and the applicant's electronic signature to the state secretary who shall transmit the same to the board of registrars or election commission of the city or town in which the person resides in a manner prescribed by the state secretary. An automatic voter registration agency may consult with the registry of motor vehicles or other agencies to augment data to be transmitted in a manner prescribed by the state secretary. An automatic voter registration agency shall not transmit a record that contains: (i) a home address designated as confidential pursuant to section 8 of chapter 9A, or (ii) any record that does not clearly and consistently contain both the applicant's electronic signature and sworn or verified information for the applicant's: (A) legal name; (B) age; (C) residence; and (D) citizenship.”; and

In line 97 striking out the words “as the state secretary deems necessary or”;

In section 7, in line 119, striking out the following: “term ‘automatic voter registration agency’ shall have the meaning assigned to it in section 42G 1/2 of this chapter” and inserting in place thereof the following: “term ‘automatic voter registration’ shall have the meaning assigned to it in section 42G ½ and the term ‘Registrars’ or ‘registrars of voters’ shall have the meaning assigned to it in section 1 of chapter 50.”; and

In lines 127, 128 and 129 striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(v) determining the extent to which automatic voter registration materials

UNCORRECTED PROOF.

should be provided in languages other than English and Spanish, if necessary to comply with the National Voting Rights Act; and”;

Striking out section 10; and

Striking out section 12 and inserting in place thereof the following section:

“SECTION 12. Sections 2, 3, 4, 7 and 8 shall take effect on January 1, 2020.”.

Under suspension of the rules, on motion of Mr. Moran of Boston, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Moran of Boston, Mahoney of Worcester and Dooley of Norfolk were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Creem, Gobi and Fattman had been joined as the committee on the part of the Senate.

Id.

Engrossed Bills.

Engrossed bills

Authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (see House, No. 4094);

Bills enacted.

Authorizing the Bristol County Commissioners to borrow money for the repair, renovation, construction, equipping and furnishing of facilities at Bristol County Agricultural School in the town of Dighton (see House, No. 4227); and

Authorizing the Minuteman Regional Vocational Technical School District to lease certain land and buildings (see House, No. 4503);

(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.

Recess.

At eighteen minutes after two o'clock P.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at one minute after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At one minute after five o'clock P.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

UNCORRECTED PROOF.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JULY 17, 2018.

[78]

JOURNAL OF THE HOUSE.

Tuesday, July 17, 2018.

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.

Order.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) that the Order relative to special procedures for consideration of the Senate Bill negating archaic statutes targeting young women (Senate, No. 2260, amended) [for order see House, No. 4766]. The order was adopted.

Archaic
statutes,—
procedures.

Petitions.

Miss Gregoire of Marlborough presented a petition (subject to Joint Rule 12) of Danielle W. Gregoire and Hannah Kane relative to a certain agricultural restriction held by the Commonwealth on land in the town of Westborough; and the same was referred, under Rule 24, to the committee on Rules.

Westborough,—
land.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Mr. Naughton of Clinton presented a petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., for legislation to authorize the release of an agricultural covenant on a certain parcel of land in the town of Lancaster; and the same was referred, under Rule 24, to the committee on Rules.

Lancaster,—
land.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Papers from the Senate.

The Senate Bill to protect animal welfare and safety in cities and towns

Animal

(Senate, No. 2347), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4565, amended).

welfare.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Montigny, Hinds and Tarr had been appointed to the committee on the part of the Senate.

Committee of conference.

On motion of Mr. Kafka of Stoughton, the House insisted on its amendment; and concurred with the Senate in the appointment of a committee of conference. Messrs. Kafka, O'Day of West Boylston and Muradian of Grafton were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

The House Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4613), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2602.

Environmental bond.

Under suspension of the rules, on motion of Mr. Nangle of Lowell, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Nangle, Pignatelli of Lenox and Berthiaume of Spencer were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Brownsberger, Gobi and Humason had been joined as the committee on the part of the Senate.

Id.

Bills

Regarding Huntington's Disease awareness month (Senate, No. 1713) (on a petition);

Huntington's Disease month.

Establishing a sick leave bank for David Silvia Jr., an employee of the Department of Correction (Senate, No. 2324) (on a petition); and

David Silvia,—sick leave.

Honoring and recognizing the heroism of Rosa Parks (Senate, No. 2410) (on a petition);

MBTA,—Rosa Parks designation.

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 Paul J. Donato and Patricia D. Jehlen (with the approval of the mayor and city council) that the city of Medford be authorized to use inserts to accompany municipal property tax bills in said city. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

Medford,—tax bills.

UNCORRECTED PROOF.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for cemetery purposes (House, No. 4717) [Local Approval Received], be scheduled for consideration by the House.

Nantucket,—
land.

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

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 4426, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of a certain House document concerning criminal justice reform (House, No. 4700).

Criminal
justice,—
study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, Nos. 1233, 1237, 1239, 1241, 1246, 1247, 1253, 1260, 1261, 1262, 1267, 1268, 1269, 1270, 1275, 1276, 1278, 1280, 1281, 1282, 1283, 1284, 1285, 1290, 1291, 1292, 1294, 1295, 1296, 1302, 1303, 1304, 1305, 1309, 1310, 1313, 1315, 1319, 2482, 2485, 2487, 2490, 2491, 2493, 2495, 2497, 2502, 2503, 2504, 2506, 2507, 2510, 2511, 2512, 3254, 3258, 3259, 3260, 3261, 3262, 3263, 3267, 3268, 3271, 3272, 3274, 3609, 3612 and 3613, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety (House, No. 4767).

Public Safety,—
study.

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

Subsequently, 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 Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 4637, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Foxborough for fire department use (House, No. 4769) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Foxborough,—
land.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill authorizing the city of Beverly to issue additional liquor licenses (House, No. 4628) [Local Approval Received].

Beverly,—
liquor
licenses.

By the same member, for the same committee, on House, No. 4762, a Bill authorizing the town of Foxborough to grant one additional license for the sale of all alcoholic beverages not to be consumed on the premises (House, No. 4768) [Local Approval Received].

Foxborough,—
liquor
license.

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

Recess.

At a quarter before twelve o'clock noon, on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed subject to

Recess.

the call of the Chair; and at seventeen minutes before five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Paper from the Senate.

The House Bill to increase renewable energy and reduce high-cost peak hours (House, No. 4756), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2608 [also based on House bill Nos. 3404, 4575 and 4576]; and by striking out the title and inserting in place thereof the following title: "An Act to promote a clean energy future".

Energy.

Under suspension of the rules, on motion of Mr. Golden of Lowell, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Golden, Haddad of Somerset and Jones of North Reading were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Barrett, Pacheco and O'Connor had been joined as the committee on the part of the Senate.

Id.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill negating archaic statutes targeting young women (Senate, No. 2260, amended), ought to pass with amendments by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4770; by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

Reproductive health.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to repeal and update statutes related to reproductive health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health."; and by striking out the title and inserting in place thereof the following title: "An Act relative to reproductive health." [Representative Silvia of Fall River dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Cusack of Braintree, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means then were adopted; and the bill (Senate, No. 2260, amended) was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

At fourteen minutes before five o'clock P.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JULY 18, 2018.

[79]*

JOURNAL OF THE HOUSE.

Wednesday, July 18, 2018.

Met according to adjournment at eleven o'clock A.M., 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 Prayer.

During the session (the Speaker having taken the Chair), at the request of Messrs. Murphy of Weymouth and Mariano of Quincy, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Weymouth Police Sergeant Michael C. Chesna, age 42, who was tragically killed in the line of duty on Sunday, July 15th. Sergeant Chesna was a Weymouth native, and Monday would have marked his 6 years of service to the Weymouth Police Department. Prior to becoming a police officer, he proudly served his country in the United States Army, where he did tours in Iraq and Afghanistan. He joined the military out of love for his country, and his greater sense of service to others.

Weymouth
Police Sergeant
Michael C.
Chesna.

It was his lifelong dream to become a law enforcement officer, and Sergeant Chesna will be remembered as a consummate professional who was dedicated to the job he loved. His compassion and commitment to doing what was right will forever serve as an example for others. Members of the community have given him the highest praise, describing him as the police officer you would want to see when you need help. He will also be remembered as a wonderful family man as he was a loving father to his two children and a devoted husband to his wife, Cynthia. Our thoughts are with Sergeant Chesna's family, his fellow officers at the Weymouth Police Department, and the entire Weymouth community as they mourn their tragic loss.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and recognized Gabriela Taveras of Lawrence. Ms. Taveras is the current Miss Massachusetts. She was the guest of Representatives Moran of Lawrence, Matias of Lawrence and DiZoglio of Methuen.

Miss
Massachusetts.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess, and introduced, seated in the Chamber, members of the Weymouth senior centers. They were the guest of Representative Murphy of Weymouth.

Weymouth
senior centers.

During the session, the Chair (Mr. Donato of Medford), turned the gavel over to Mr. Rushing of Boston for the purpose of making special recognition. Mr.

Mandela
Washington
Fellowship.

Rushing then introduced members of the Mandela Washington Fellowship, an organization that aims to empower young people through academic coursework, leadership training, and networking. The fellows were at the State House celebrating Mandela Day, an annual international day in honor of Nelson Mandela, celebrated each year on 18th of July, Mandela's birthday. They were the guests of Representative Rushing.

Resolutions.

Resolutions (filed with the Clerk by Mr. Cabral of New Bedford) commending Consul General José Rui Velez Carço for completing his tenure as Consul General of Portugal to the United States in Boston, were referred under Rule 85, to the committee on Rules.

José Rui Velez
Carço.

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

Appointment to a Special Commission.

The Minority Leader announced that he had appointed Mr. Vieira of Falmouth to serve as his designee on the special commission established (under Section 26 of Chapter 113 of the Acts of 2018) to investigate and study the feasibility of establishing a Cape Verdean cultural center in the city of Boston.

Boston Cape
Verdean
cultural
center.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 4779) of John W. Scibak (by vote of the town) that the town of Hatfield be authorized to grant one additional annual license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Hatfield,—
liquor
license.

By Ms. Balser of Newton, a petition (accompanied by bill, House, No. 4780) of Ruth B. Balser and others (with the approval of the mayor and city council) that the city of Newton be authorized to amend the income qualifications for a certain tax deferral program in said city. To the committee on Revenue.

Newton,—
tax deferral
program.

Severally sent to the Senate for concurrence.

Reports of Committees.

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

Senate bills

Relative to the provision of group health insurance benefits in the town of Athol (Senate, No. 1418) [Local Approval Received]; and

Athol,—
benefits.

Authorizing the town of Sturbridge to issue one additional license for the sale of all-alcoholic beverages not to be drunk on the premises at 122 Main Street (Senate, No. 2507) [Local Approval Received]; and

Sturbridge,—
liquor license.

House bills

Authorizing the city of Beverly to issue additional liquor licenses (House, No. 4628) [Local Approval Received];

Beverly,—
liquor licenses.

Repealing the act establishing the Nantucket Mosquito Control Project (House, No. 4644) [Local Approval Received];

Nantucket mosquito
control.

Authorizing the town of Orleans to establish an affordable housing trust fund (House, No. 4645) [Local Approval Received];

Orleans,—
housing trust.

To remove auditor position from city charter to instead create position under city ordinance, remove residency requirement, and to set term limits (House, No. 4652) [Local Approval Received];

Holyoke,—
charter.

Relative to the powers and duties of the town manager in the town of Hanover (House, No. 4658) [Local Approval Received]; and

Hanover,—
town manager.

Authorizing the town of Foxborough to grant one additional license for the sale of all alcoholic beverages not to be consumed on the premises (House, No. 4768) [Local Approval Received];

Foxborough,—
liquor license.

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

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 36, 39, 44, 476, 477, 478, 479, 480, 481, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 495, 496, 497, 498, 499, 501, 502, 503, 504, 505, 506, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 527, 528, 530, 531, 532, 533, 537, 538, 539, 540, 541, 542, 543, 544, 545, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 568, 569, 571, 572, 573, 574, 579, 580, 582, 583, 584, 585, 586, 588, 589, 590, 1198, 1408, 2157, 2158, 2161, 2162, 2163, 2164, 2165, 2167, 2168, 2169, 2173, 2175, 2176, 2177, 2178, 2180, 2181, 2182, 2183, 2184, 2185, 2188, 2189, 2190, 2191, 2194, 2196, 2197, 2198, 2199, 2200, 2203, 2204, 2205, 2206, 2207, 2208, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2956, 2957, 2958, 2959, 2961, 2962, 2963, 2964, 2967, 2968, 2970, 2971, 2972, 2975, 2976, 2977, 2978, 2979, 2980, 3487, 3488, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3661, 3676, 3728, 3743, 3878, 3903 and 3969, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financial services (House, No. 4778). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Financial
services,—
study.

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 Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to support the transition to adult services for persons with disabilities (House, No. 1953, changed in section 1, in line 18, by striking out the figures: “32” and inserting in place thereof the figures: “33”, in line 22 by striking out the figures: “26” and inserting in place thereof the figure: “6”, in line 27 by striking out the figures: “16” and inserting in place thereof the figures: “17”, in line 33 by striking out the figures: “41” and inserting in place thereof the figures: “37”, in line 36 by striking out the figures: “52” and inserting in place thereof the following: “44-45”, in lines 39 and 40 by striking out the following: “60-61” and inserting in place thereof the figures: “56”, in line 42 by striking out the

Adult services,—
persons with
disabilities.

figures: “69” and inserting in place thereof the figures: “65”, in line 45 by striking out the figures: “87” and inserting in place thereof the following: “74-75”, in line 47 by inserting after the word “disability” the following paragraph:

“Said Section 12C of chapter 71B is amended by striking “disabled person” on line 92 and inserting in place thereof the words – person with disability”;

In section 6, in line 107 and also in section 7, in line 117, by striking out the year: “2018” and inserting in place thereof, in each instance, the year: “2019”). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide an income tax exemption for families caring for their elderly relatives at home (House, No. 82, changed in section 1, in line 8, by striking out the word “thirty” and inserting in place thereof the word “forty”, and in section 4, in line 20, by striking out the year “1998” and inserting in place thereof the year “2018”).

Elder home care,—
exemption.

By the same member, for the same committee, on a petition, a Bill relative to programs to promote self-sufficiency and decrease dependence on government provided assistance (House, No. 91, changed in line 2, by striking out the following: “5H” and inserting in place thereof the following: “5N”; and in line 3, by striking out the following: “5I” and inserting in place thereof the following: “5O”).

Self-employment assistance.

By the same member, for the same committee, on a petition, a Bill requiring the Department of Transitional Assistance to track and report on the use of emergency shelter services by families (House, No. 94, changed in line 1, by striking out the following: “Paragraph B of Section 2 of chapter 18” and inserting in place thereof the following: “Paragraph (F) of Section 30 of chapter 23B”, in line 4, by striking out the words “transitional assistance” and inserting in place thereof the words “housing and community development” and in the title by striking out the words “Transitional Assistance” and inserting in place thereof the words “Housing and Community Development”).

Emergency shelter services.

By the same member, for the same committee, on a petition, a Bill preventing funds deposited in children’s savings accounts from counting against cash assistance benefits (House, No. 121, changed in section 1, in line 1, by inserting after the following: “SECTION 1.” the following: “Chapter 18 of the General Laws is hereby amended by inserting after section 39 the following section:- Section 40.”.

Benefits.

By the same member, for the same committee, on a petition, a Bill establishing an independent office of quality assurance for developmentally disabled persons (House, No. 2805).

Quality assurance.

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

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to the Lancaster sewer district (House, No. 3217), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Naughton of Clinton.

Lancaster,—
sewer district.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by adding the following section:

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

The amendment was adopted; and the bill (House, No. 3217, amended) was

passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Joseph Mele, an employee of the Department of Mental Health (House, No. 4715), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Roy of Franklin.

Joseph Mele,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of mental health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4715, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at four minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Orders.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Cronin of Easton, Lawn of Watertown and DeCoste of Norwell, during conference committee negotiations during today's session.

Veterans conferees,—
voting.

Mr. Petrolati of Ludlow being in the Chair,—

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Mariano of Quincy, Roy of Franklin and Hunt of Sandwich, during conference committee negotiations during today's session.

Health care conferees,—
voting.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Mr. Sánchez of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2530) of the House Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4401), reported, in part, a bill with the same title (House, No. 4800) [Appropriation:

General Appropriation Bill.

\$41,883,307,801.00].

The same member then moved that the rules be suspended in order that the report of the committee on conference might be considered forthwith.

On the motion to suspend the rules, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 107 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 407 in Supplement.]

Therefore the rules were suspended.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the Mr. Sánchez of Boston; and on the roll call 143 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 408 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Rules
suspended,—
yea and nay
No. 407.

Conference
committee report
accepted,—
yea and nay
No. 408.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Petrolati of Ludlow being in the Chair,—

The Senate Bill negating archaic statutes targeting young women (Senate, No. 2260, amended), was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Cronin of Easton.

After debate on the question on passing the bill to be engrossed, Mr. Lyons of Andover and other members of the House then moved to amend it by adding the following section:

“Section 4- 1. Except in the case of a medical emergency or when the abortion is medically necessary, a physician shall not perform an abortion unless the physician has tested the pregnant woman as specified in this subsection, to determine if a fetal heartbeat is detectable.

a. In testing for a detectable fetal heartbeat, the physician shall perform an abdominal ultrasound, necessary to detect a fetal heartbeat according to standard medical practice and including the use of medical devices, as determined by standard medical practice and specified by rule of the board of medicine.

b. Following the testing of the pregnant woman for a detectable fetal heartbeat, the physician shall inform the pregnant woman, in writing, of all of the following:

(1) Whether a fetal heartbeat was detected.

(2) That if a fetal heartbeat was detected, an abortion is prohibited.

c. Upon receipt of the written information, the pregnant woman shall sign a form acknowledging that the pregnant woman has received the information as required under this subsection.

2. a. A physician shall not perform an abortion upon a pregnant woman when it has been determined that the unborn child has a detectable fetal heartbeat, unless, in the physician’s reasonable medical judgment, a medical emergency exists, or when the abortion is medically necessary.

b. Notwithstanding paragraph ‘a’, if a physician determines that the probable postfertilization age of the unborn child is twenty-four or more weeks, the physician shall not perform an abortion upon a pregnant woman when it has been determined that the unborn child has a detectable fetal heartbeat, unless in the physician’s reasonable medical judgment the pregnant woman has a condition which the physician deems a medical emergency or the abortion is necessary to preserve the

Reproductive
health.

life of an unborn child.

3. A physician shall retain in the woman's medical record all of the following:

a. Documentation of the testing for a fetal heartbeat as specified in subsection 1 and the results of the fetal heartbeat test.

b. The pregnant woman's signed form acknowledging that the pregnant woman received the information as required under subsection 1.

4. This section shall not be construed to impose civil or criminal liability on a woman upon whom an abortion is performed in violation of this section."

Mr. Day of Stoneham thereupon raised a point of order that the amendment offered by the gentleman from Andover was improperly before the House for the reason that it was beyond the scope of the pending bill.

Point of order.

The Chair (Mr. Petrolati of Ludlow) stated that the bill currently before the House, and the measures upon which it is based, contain provisions that would make it less restrictive for a woman to obtain an abortion. The amendment offered by the gentleman from Andover goes beyond the scope of those provisions, since it would prohibit abortions in almost all instances, contradicting the intent of the petitioners. The Chair ruled that the point of order was well taken, and the amendment will be laid aside accordingly.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Ms. Cronin of Easton; and on the roll call 137 members voted in the affirmative and 9 in the negative.

Bill passed to be engrossed,—yea and nay No. 409.

[See Yea and Nay No. 409 in Supplement.]

Therefore the bill (Senate, No. 2260, amended) was passed to be engrossed, in concurrence.

Mr. Rushing of Boston moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill then was sent to the Senate for concurrence in the amendment [for text of House amendment, see House document numbered 4470].

Recess.

At seventeen minutes after four o'clock P.M., on motion of Mr. Golden of Lowell (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at seven minutes after five o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Paper from the Senate.

The House Bill protecting youth from the health risks of tobacco and nicotine addiction (House, No. 4486), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2585. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the amendment (having been reported by said committee to be correctly drawn) was considered forthwith.

Youth,—smoking.

Ms. Hogan of Stow then moved that the House concurred with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 4874.

UNCORRECTED PROOF.

After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 146 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 410 in Supplement.]

Therefore 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.

Further amendment adopted,—
yea and nay
No. 410.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), 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.

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 10 to 0. Sent to the Senate for concurrence.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call (Mr. Donato having returned to the Chair) 143 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 411 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

General Appropriation Bill.

Bill enacted,—
yea and nay
No. 411.

Engrossed Bill.

The engrossed Bill relative to the Municipal Police Training Fund (see House, No. 4516), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair); and on the roll call 143 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 412 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Municipal Police Training Fund.

Bill enacted,—
yea and nay
No. 412.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

UNCORRECTED PROOF.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at four minutes before six o'clock P.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JULY 19, 2018.

[80]

JOURNAL OF THE HOUSE.

Thursday, July 19, 2018.

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.

Resolutions.

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

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating and recognizing Robert Francis Davis on his retirement as the Health Director and Health Agent for the North Attleborough Board of Health Department in North Attleborough Massachusetts; and

Robert
Davis.

Resolutions (filed by Mr. Arciero of Westford) congratulating Mr. and Mrs. Richard Farady-Driscoll on the occasion of their fiftieth wedding anniversary;

Richard and Joan
Farady-Driscoll.

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

Communications.

Communications

From the Cannabis Control Commission (see Section 70 of Chapter 55 of the Acts of 2017) submitting an Interim Report: Transfer of the Medical-Use of Marijuana Program;

Medical
marijuana.

From the Department of Elementary and Secondary Education (see item 7010-0012 of Chapter 47 of the Acts of 2017) submitting the METCO program report;

METCO.

From the Department of Public Health (see Section 18 of Chapter 351 of the Acts of 2016) submitting the Marijuana Baseline Health Study Report of Findings; and

Marijuana
baseline.

From the Department of Public Health (see Sections 25L and 25N of Chapter 111 of the General Laws) submitting a report entitled the Massachusetts Health Care Workforce Center Annual Report;

Health Care
Workforce
Center.

Severally were placed on file.

Reports.

A quarterly report of the Department of Children and Families (under Section

Child abuse

25 of Chapter 18B of the General Laws) submitting the total number of cases of multiple 51A [child abuse and neglect] reports reviewed by the department under subsection (r) of section 51B of Chapter 119, the types of those cases, and their resolutions;

and neglect,—
multiple
cases.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through June 2018; and

Unemployment
Trust Fund.

Annual reports

Of the Division of Banks (under Section 13 of Chapter 167 of the General Laws) for the year 2017;

Division
of Banks.

Of the Massachusetts District Attorneys Association (under Section 20D of Chapter 12 of the General Laws) on the status of child abuse and neglect cases for the fiscal year 2017;

Child abuse
and neglect.

Of the State Ethics Commission (under Section 2(l) of Chapter 268B of the General Laws) relative to the actions taken by said commission, the title and duties of all individuals in its employ and the money it has disbursed for the fiscal year 2017; and

Ethics
Commission.

Of the University of Massachusetts (under Section 15 of Chapter 75 of the General Laws) submitting the University of Massachusetts 2018 Report on Annual Indicators;

UMass,—
annual
indicators.

Severally were placed on file.

Papers from the Senate.

Bills

Requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles (Senate, No. 2605) (on Senate bill No. 157);

Motor vehicles,—
appraisers.

To establish a registry of caretakers found to have substantiated abuse against persons with intellectual disability or developmental disability (Senate, No. 2606, amended in section 2, in line 32, by striking out the words “a hearing before the commission” and inserting in place thereof the words “an opportunity to respond in writing”); and

Developmental
disability,—
caretakers.

In lines 48, 49 and 50 by striking out the following: “(ii) revoke or downgrade a license maintained by the employer; (iii) require forfeiture of a state contract; or (iv) impose a combination of such fine, license revocation or downgrade or state contract forfeiture” and inserting in place thereof the following: “(ii) recommend the revocation or downgrade of a license maintained by the employer; (iii) recommend the forfeiture of a state contract; or (iv) impose a combination of such fine, recommendation of license revocation or downgrade or recommendation of state contract forfeiture”) (on Senate bill No. 2213);

Relative to students with dyslexia (Senate, No. 2607) (on printed in Senate bill No. 2443);

Dyslexia.

Establishing the Massachusetts Code of Military Justice (Senate, No. 2611, amended in section 43, in line 127, by striking out the words “in active” and inserting in place thereof the word “inactive”); and

Military
justice.

By inserting after section 57 the following section:

“SECTION 57A. Said chapter 33 is hereby further amended by striking out section 88B and inserting in place thereof the following section:-

Section 88B. The commonwealth shall reimburse a servicemember's monthly

premium in the Serviceman's Group Life Insurance Program administered by the Veterans Administration or an equivalent group life insurance program of the servicemember's choosing; provided, however, that such reimbursement shall not exceed 50 per cent of the monthly premium cost of Serviceman's Group Life Insurance. The reimbursement may be paid directly to the service member or paid as a premium payment directly to an equivalent group life insurance program of the service member's choosing for the purchase of supplemental life insurance. The Massachusetts National Guard State Sponsored Life Insurance Program is recognized as an equivalent group life insurance program.") (on Senate bill No. 2236); and

Relative to the creation of the Commonwealth Technical Rescue Regions and Coordinating Council (Senate, No. 2614) (on Senate bill No. 1380).

Rescue regions.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill making technical changes to the laws regulating a certain notarial act (Senate, No. 2615) (Senate bill No. 2312), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Notarial act.

Reports of Committees.

Report of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3372) of Russell E. Holmes and Carlos González relative to diversity in public contracting.

Public contracting.

Under suspension of the rules, on a motion of Ms. Benson of Lunenburg, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

By Mr. Murphy of Weymouth, 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 David Silvia Jr., an employee of the Department of Correction (Senate, No. 2324); and

David Silvia,—
sick leave.

The House Bill relative to data (House, No. 4679);

Data.

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

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 34, 35, 494, 546 and 2965, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financial services (House, No. 4785).

Vehicle repairs, etc.,—
study.

By the same member, for the same committee, on House, Nos. 535, 3543 and 4137, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financial services (House, No. 4786).

Infrastructure bank, etc.,—
study.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on House, Nos. 2072, 2890 and 4611, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House

Nursing homes, etc.,—
study.

documents concerning health care financing (House, No. 4787).

By Mr. Honan of Boston, for the committee on Housing, on House, No. 4405, an Order relative to authorizing the committee on Housing to make an investigation and study of a certain House document concerning housing (House, No. 4776).

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, Nos. 2274 and 4472, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the judiciary (House, No. 4701).

By Mr. Parisella of Beverly, for the committee on Public Service, on House, Nos. 29 and 3281, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public service (House, No. 4788).

By the same member, for the same committee, on House, No. 4498, an Order relative to authorizing the committee on Public Service to make an investigation and study of a certain House document concerning public service (House, No. 4789).

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 4647 and 4735, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning revenue (House, No. 4790) [Representative Dooley of Norfolk dissenting].

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

Subsequently, 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. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill [sic] Article 97 land conveyance in the town of Petersham (House, No. 4753). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4609, a Bill relative to excise tax revenue for the Chatham other post-employment benefits liability trust fund (House, No. 4781) [Local Approval Received].

By the same member, for the same committee, on House, No. 4720, a Bill authorizing the city of Quincy to grant veteran's abatements of real estate taxes to certain veterans in the city of Quincy (House, No. 4782) [Local Approval Received].

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

Emergency Measures.

The engrossed Bill relative to reproductive health (see Senate, No. 2260, 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.

A separate vote then was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the

Mobile homes,— study.

Minors, police, etc.,— study.

Divestment,— study.

Rachel Porter,— study.

Tax credits, etc.,— study.

Petersham,— land.

Chatham,— benefits.

Quincy,— taxes.

Reproductive health.

UNCORRECTED PROOF.

preamble was adopted, by a vote of 5 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 sent to the Senate.

Bill
enacted.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (see House, No. 4635, 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.

Salem,—
land.

A separate vote then 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 5 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 sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill protecting youth from the health risks of tobacco and nicotine addiction (see House, No. 4486, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill releasing a restriction on certain property in the town of Webster (House, No. 4122), 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. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-two minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 23, 2018.

[81]

JOURNAL OF THE HOUSE.

Monday, July 23, 2018.

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).

Prayer was offered by Monsignor Victor Emilio Masalles Pere, Bishop of Bani, Dominican Republic, the guest of Mr. Sánchez of Boston.

Prayer.

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 — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill protecting the rights of custodial and other non-teaching employees of school districts [see House, No. 1390, amended] (for message, see House, No. 4799), was filed in the Office of the Clerk on Friday, July 20.

School districts,— non-teaching employees.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting.

Statement of Representative Higgins of Leominster.

A statement of Ms. Higgins of Leominster was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the sitting of Tuesday, July 10, 2018, due to my attendance at the 2018 Emerging Leaders Program in Charlottesville, Virginia. If I could have been present on that day, I would have voted in the affirmative on House roll calls numbered 391 to 395, inclusive. My missing of roll calls on Tuesday, July 10 was due entirely to the reason stated.

Statement of Ms. Higgins of Leominster.

Petition.

Mr. Gordon of Bedford presented a petition (accompanied by bill, House, No. 4801) of Kenneth I. Gordon and Cindy F. Friedman (by vote of the town) that the town of Burlington be authorized to receive water from the Massachusetts Water Resources Authority; and the same was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Burlington,— water.

Papers from the Senate.

The House Bill relative to Alzheimer's and related dementias in the

Alzheimer's and

Commonwealth (House, No. 4116, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2612. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

related dementias.

Bills

To strengthen laws combatting human trafficking and protecting survivors of modern-day slavery (Senate, No. 2598, amended by inserting after section 4 the following section:

Human trafficking.

“SECTION 4A. Chapter 22A of the General Laws is hereby amended by adding the following section:—

Section 10. The executive office of public safety and security shall develop a guide, the policy and procedure for missing and abducted children investigations, that shall establish comprehensive minimum standards for law enforcement agencies in the commonwealth. The agencies shall reference the guide and implement the policy and procedure in agency practices and the training of law enforcement officers.

In developing the policy and procedure for missing and abducted children investigations, the executive office of public safety and security shall reference, but shall not be limited to, the law-enforcement policy and procedures for reports of missing and abducted children developed by The National Center for Missing and Exploited Children. The executive office shall ensure that the policy and procedure for missing and abducted children investigations is comprehensive and inclusive of different categories of missing children including, but not limited to: (i) children under 10 years of age; (ii) children under 17 years of age; (iii) children with mental and physical limitations; and (iv) dependent adults with mental and physical limitations.

The municipal police training committee shall include training on the policy and procedure for missing and abducted children investigations for new police officers attending the police academy.

The executive office of public safety and security shall ensure internal policies and the missing child clearinghouse intake form to reflect the policy and procedure for missing and abducted children investigations. The missing child clearinghouse intake form shall be available in languages including, but not limited to: English, Spanish, Portuguese, French, Chinese, Haitian Creole, Vietnamese, Russian, German, Albanian, and Khmer or Cambodian.”;

In section 7, in line 192, by inserting after the word “resources” the words “on the registry website”;

In section 12, in line 233, by striking out the following: “or (c)”;

By inserting after section 13 the following two sections:

“SECTION 13A. The municipal police training committee shall include in its 2019 training year, a mandatory 2-hour in-service training program for veteran police officers on the policy and procedure for missing and abducted children investigations developed pursuant to section 10 of chapter 22A of the General Laws.

SECTION 13B. Not later than January 15, 2019, all law enforcement agencies in the commonwealth shall adopt the policy and procedures for missing and abducted children investigations as the minimum protocol in investigations of missing children.”) (on Senate Nos. 905 and 906);

Promoting net neutrality and consumer protection (Senate, No. 2610, amended by inserting after section 2 the following two sections:

Net neutrality.

“SECTION 2A. Section 6A of chapter 25C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 18, the word ‘(f)’ and inserting in place thereof the word:— (g).

SECTION 2B. Said section 6A of said Chapter 25C, as so appearing, is hereby amended by adding the following subsection:—

(g) Subsection (b) shall not be construed to affect the authority of the department to administer federal programs supported by the federal Universal Service Fund, including Lifeline and Link-up programs, the E-rate program or Connect America Fund.”; and

By inserting after section 4 the following section:

“SECTION 4A. Said section 47E of Chapter 164 of the General Laws is hereby further amended by inserting after the fifth sentence the following sentence:—

Such cooperative or municipal lighting plant, which is engaged in the business of operating a telecommunications system, shall file annually with the department of telecommunications and cable on forms prescribed by the department of telecommunications and cable, a statement of its revenues and expenses for official use only. In addition, each such cooperative or municipal lighting plant, which is engaged in the business of operating a telecommunications system, shall file with the department of telecommunications and cable on forms prescribed by the department of telecommunications and cable, a financial balance sheet which shall be open to public inspection.”) (on Senate bill No. 2336);

Establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs, and services (Senate, No. 2616) (on Senate bill No. 1727); and

To regulate bodywork therapy (Senate, No. 2621) (on Senate bill No. 2599, amended);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill authorizing the city of Northampton to release a certain conservation easement and conservation restriction (Senate, No. 2512) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill) of Thomas Beaton for legislation relative to hardship licenses for first time offenders, 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. 2628) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

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

Relative to excise tax revenue for the Chatham other post-employment benefits liability trust fund (House, No. 4781) [Local Approval Received]; and

Authorizing the city of Quincy to grant veteran’s abatements of real estate taxes to certain veterans in the city of Quincy (House, No. 4782) [Local Approval

Government,—
functional
overlaps.

Bodywork
therapy.

Northampton,—
land.

Hardship
licenses,—
first time
offenders.

Chatham,—
fund.

Quincy,—
taxes.

Received];

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 78, 79, 90, 93, 95, 102, 103, 105, 106, 108, 110, 111, 1961, 1964, 1965, 1966 and 3802, an Order relative to authorizing the committee on Children, Families, and Persons with Disabilities to make an investigation and study of certain House documents concerning children, families and persons with disabilities (House, No. 4792) [Representative O'Connell of Taunton dissenting].

State assistance, benefits, etc.,— study.

By the same member, for the same committee, on House, Nos. 87 and 107, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain House documents concerning children (House, No. 4793) [Representative O'Connell of Taunton dissenting].

Children,— study.

By the same member, for the same committee, on House, Nos. 4467 and 4541, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain House documents concerning children (House, No. 4794).

Id.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4465, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain House document concerning regulation (House, No. 4795).

Regulation,— study.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 4542 and 4567, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning public housing (House, No. 4777).

Public housing,— study.

By the same member, for the same committee, on House, Nos. 650, 651, 652, 657, 658, 660, 665, 678, 680, 685, 686, 691, 703, 704, 2238, 2241, 2242, 2247, 3009, 3010, 3013, 3015, 3492 and 3493, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning Chapter 40B (House, No. 4791) [Representatives DeCoste of Norwell and Diehl of Whitman dissenting].

Affordable housing,— study.

By Mr. Cusack of Braintree, for the committee on Marijuana Policy, on House, No. 4379, an Order relative to authorizing the committee on Marijuana Policy to make an investigation and study of a certain House document concerning grow facilities (House, No. 4796).

Grow facilities,— study.

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 1205, 3514 and 3597, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents concerning public health (House, No. 4797).

Consent, etc.,— study.

By Mr. Parisella of Beverly, for the committee on Public Service, on House, No. 4646, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public service (House, No. 4798).

Service buyback,— study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4250, an Order relative to authorizing the committee on Revenue to make an investigation and study of a certain House document concerning revenue (House,

Short term rentals,— study.

No. 4783).

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

Subsequently, 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. Honan of Boston, for the committee on Housing, on a petition, a Bill authorizing the Somerville Housing Authority to reconstruct the state funded Clarendon Hill public housing project (House, No. 4580, changed in section 1, in lines 6 to 9, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "Provided further, that sections 26 to 27H, inclusive, of chapter 149 of the General Laws shall apply to all construction, reconstruction, installation, demolition, maintenance and repair.") [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Somerville
Housing
Authority.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a joint petition, a Bill relative to the town meeting of the town of North Reading (House, No. 4687) [Local Approval Received].

North
Reading,—
town meeting.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to the affordable housing trust fund of the town of Brewster (House, No. 4619) [Local Approval Received].

Brewster,—
fund.

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

Emergency Measures.

The engrossed Bill authorizing the transfer of care and control of certain parcels of land in the town of Middleborough from the Department of Correction to the Department of Fish and Game (see House, No. 4261), 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.

Middleborough,—
land.

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 7 to 0. Sent to the Senate for concurrence.

The engrossed Bill relative to the transfer of an easement under the control of the Department of Conservation and Recreation in the city of Lynn (see House, No. 4268, changed), 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.

Lynn,—
land.

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 7 to 0. Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Establishing a sick leave bank for David Silvia Jr., an employee of the Department of Correction (Senate, No. 2324);

Third reading bills.

Regarding transfer of retained earnings surplus in the town of Clinton (Senate, No. 2478); and

Regarding snow and ice removal, and repair of private ways in the town of Clinton (Senate, No. 2479);

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 the town of Nantucket to sell, convey or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank, Nantucket Conservation Foundation, Inc., or Sconset Trust, Inc. for the same purposes (House, No. 4688);

Id.

Authorizing the town of Nantucket to transfer, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for water supply and water protection purposes to the town of Nantucket for roadway purposes (House, No. 4689); and

Changing the name of the board of selectmen of the town of North Reading (House, No. 4690);

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 House Bill supporting working parents who choose to run for public office (House, No. 2898), was read a second time.

Working parents,— candidates.

Pending the question on ordering the bill to a third reading, Representatives Meschino of Hull and Connolly of Cambridge moved to amend it in section 1, in line 2, by striking out the following: “‘body’, in line 68” and inserting in place thereof the following: “‘office’ in line 66”, in line 3, by inserting after the word “or” the words “customary and reasonable”, in line 4, by striking out the words “performing work” and inserting in place thereof the words “campaigning on his or her own behalf”, by inserting after the word “campaign” the words “from the date that nomination papers become available through the date of the general election”; and by adding the following section:

“SECTION 2. The director of the office of campaign and political finance shall promulgate rules and regulations to implement this act no later than December 31, 2018.”.

The amendments were adopted; and the bill (House, No. 2898, amended) was ordered to a third reading.

Recess.

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

Recess.

Mr. Donato in the Chair.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JULY 24, 2018.

[82]

JOURNAL OF THE HOUSE.

Tuesday, July 24, 2018.

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.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 4804) of Michael S. Day (by vote of the town) that the town of Stoneham be authorized to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Stoneham,—
liquor
licenses.

By Messrs. Durant of Spencer and Frost of Auburn, a petition (accompanied by bill, House, No. 4805) of Peter J. Durant and Paul K. Frost (by vote of the town) that the town of Charlton be authorized to appoint two alternate members of the conservation commission of said town. To the committee on Municipalities and Regional Government.

Charlton,—
conservation
commission.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero for an investigation by a special commission (including members of the General Court) relative to enhanced school safety.

School safety,—
study.

By Mr. Kuros of Uxbridge, a petition (subject to Joint Rule 12) of Kevin J. Kuros and others for legislation to authorize a program to incentivize home ownership by veterans.

Veterans,—
home ownership.

By Representative Vincent of Revere and Senator Boncore, a joint petition (subject to Joint Rule 12) of RoseLee Vincent and Joseph A. Boncore for legislation to establish a sick leave bank for Diane Misiano, an employee of the Department of Revenue.

Diane
Misiano,—
sick leave.

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

Paper from the Senate.

A Bill relative to the Uniform Child Custody Jurisdiction and Enforcement Act (Senate, No. 2618) (on Senate bill No. 2500), passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Child
custody.

Reports of Committees.

UNCORRECTED PROOF.

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

The Senate Bill authorizing the city of Northampton to release a certain conservation easement and conservation restriction (Senate, No. 2512) [Local Approval Received]; and

House bills

Relative to the affordable housing trust fund of the town of Brewster (House, No. 4619) [Local Approval Received]; and

Relative to the town meeting of the town of North Reading (House, No. 4687) [Local Approval Received];

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

Northampton,—
land.

Brewster,—
fund.

North Reading,—
town meeting.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to equity in public contracting in honor of Bruce C. Bolling (House, No. 3372).

By the same member, for the same committee, on House, No. 4615, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Somerville to the Somerville Housing Authority (House, No. 4802) [Local Approval Received].

By the same member, for the same committee, on House, No. 4775, a Bill authorizing a surface and sub-surface easement at the Chestnut Hill Reservation located in the Brighton section of the city of Boston (House, No. 4803).

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

Public
contracting.

Somerville,—
land.

Brighton,—
easement.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating domestic workers' rights day (House, No. 4736). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Domestic
workers' day.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for David Silvia Jr., an employee of the Department of Correction (see Senate, No. 2324), 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.

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 6 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 Speaker and sent to the Senate.

David
Silvia,—
sick leave.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Regarding transfer of retained earnings surplus in the town of Clinton (see Senate, No. 2478); and

Bills
enacted.

UNCORRECTED PROOF.

Regarding snow and ice removal, and repair of private ways in the town of Clinton (see Senate, No. 2479);

(Which severally originated in the Senate);

Authorizing the town of Otis to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4622, amended) (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.

House bills

Authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for cemetery purposes (House, No. 4717); and

Authorizing the city of Quincy to grant abatements of real estate taxes to certain veterans (House, No. 4782) (its title having been changed by the committee on Bills in the Third Reading);

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

Third reading bills.

Recess.

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

Recess.

Reports of Committees.

Mr. Chan of Quincy, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2492; by inserting before the enacting clause an Emergency Preamble; and by striking out the title and inserting in place thereof the following title: "An Act relative to consumer protection from security breaches") of the House Bill removing fees for security freezes and disclosures of consumer credit reports (House, No. 4241), reported a Bill relative to consumer protection from security breaches (House, No. 4806). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Consumers,— security breaches.

Mr. Murphy of Weymouth, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question being on acceptance.

Order.

On motion of Mr. DeLeo of Winthrop,—

UNCORRECTED PROOF.

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

Next
sitting.

At twenty-six minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JULY 25, 2018.

[83]*

JOURNAL OF THE HOUSE.

Wednesday, July 25, 2018.

Met according to adjournment at eleven o'clock A.M. 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Warmth and Light, we give You thanks for the continual growth of crops and plantings that bring life and beauty to Massachusetts.

Prayer.

We pray for our elected officials and their staff that they continue to grow in ways that best serve the people of the Commonwealth.

On this day in 1956, 51 lives were lost as a result of the collision between the ocean liners the Andrea Doria and the Stockholm about 50 miles south of Nantucket. Fog and human error helped cause the collision.

The Italian liner was hit broadside and sank in just eleven hours. The death toll could have been much worse but other ships responded to the Andrea Doria's distress call and the remaining 1706 passengers and crew who survived the collision were rescued.

May God continue to bless our Commonwealth.

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.

Statements of Representative Rogers of Norwood.

A written statement received from Mr. Rogers of Norwood, regarding the session of Tuesday, July 10, 2018, was spread upon the records of the House, as follows:

Dear Mr. Clerk:

I respectfully request that the following statement be entered into the journal for the Formal Session which was held on Tuesday July 10th 2018.

Statement of Mr. Rogers of Norwood.

On Tuesday July 10th 2018 I was called away from formal session due to personal business. Had I been present I would have voted in the following manner:

Roll Call 391 on Engrossment of H. 4197, YES

Roll Call 392 on Amendment #32 to H. 4714, NO

Roll Call 393 on Suspension of Rule 1A, YES

Roll Call 394 on Adoption of Consolidated Amendment A to H. 4714, YES

Roll Call 395 on Engrossment of H. 4717, YES

Thank you very much for your attention to this matter.

A written statement received from Mr. Rogers of Norwood, regarding the session of Wednesday, July 11, 2018, was spread upon the records of the House, as follows:

Dear Mr. Clerk:

Id.

UNCORRECTED PROOF.

I respectfully request that the following statement be entered into the journal for the Formal Session which was held on Wednesday July 11th 2018.

On Wednesday July 11th 2018 I was called away from formal session due to personal business. Had I been present I would have voted in the following manner:

Roll Call 396 on Engrossment of H. 4730, YES

Roll Call 397 on Quorum, PRESENT

Roll Call 398 on Further Amendment, NAY

Roll Call 399 on Quorum, PRESENT

Roll Call 400 on Suspension of Rule 1A, YES

Roll Call 401 on Engrossment of H. 4725, YES

Thank you very much for your attention to this matter.

A written statement received from Mr. Rogers of Norwood, regarding the session of Thursday, July 12, 2018, was spread upon the records of the House, as follows:

Dear Mr. Clerk:

I respectfully request that the following statement be entered into the journal for the Formal Session which was held on Thursday July 12th 2018.

On Thursday July 12th 2018 I was called away from formal session due to personal business. Had I been present I would have voted in the following manner:

Roll Call 402 on Engrossment of H. 4749, YES

Roll Call 403 on Engrossment of H. 4737, YES

Roll Call 404 on Engrossment of H. 4739, YES

Roll Call 405 on Amendment #28 to H. 4738 NO

Roll Call 406 on Engrossment of H. 4738, YES

Thank you very much for your attention to this matter.

Id.

Communications.

Communications

From the Department of Public Health (see item 4512-0211 of Chapter 47 of the Acts of 2017) submitting the fiscal year 2018 Recovery High Schools report; and

Recovery high schools,— report.

From the Department of Public Health (see item 4512-0204 of Chapter 47 of the Acts of 2017) submitting the First Responder Naloxone Grants and Overdose Education and Naloxone Distribution report;

Naloxone grants.

Severally were placed on file.

Papers from the Senate.

Bills

Authorizing the commissioner of Capital Asset Management and Maintenance to release a portion of a certain parcel of land in the town of Berkley from an agricultural preservation restriction (Senate, No. 2395) (on a petition);

Berkley,— land.

To transfer the care, custody and control of a certain parcel of land from the conversation commission to the department of parks and recreation for playground purposes in the city of Boston (Senate, No. 2540) (on a petition) [Local Approval Received];

Boston,— land.

Authorizing the town of Wilbraham to exchange a certain parcel of land held for conservation purposes (Senate, No. 2583, changed in section 1, in lines 1 and 2

Wilbraham,— land.

by striking out the following: “(a) Notwithstanding any general or special law to the contrary but subject to chapter 30B of the General Laws” and inserting in place thereof the following: “Notwithstanding any general or special law to the contrary but subject to paragraphs (a), (b), and (g) of section 16 of chapter 30B of the General Laws”) (on a petition) [Local Approval Received]; and

The Resolve establishing an advisory committee on the accessibility of fresh food retail in communities throughout the Commonwealth (Senate, No. 1276) (on a petition);

Fresh food,—
accessibility.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A petition (accompanied by bill, Senate, No. 2629) of Michael O. Moore and Hannah Kane (with approval of the mayor and city council) for legislation to authorize the city of Worcester to convey a certain parcel of land, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Worcester,—
land.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill creating a task force on sexual misconduct climate surveys for colleges and universities in Massachusetts (House, No. 4159), ought to be adopted (for order see House, No. 4807). The order was considered forthwith and it was adopted.

Higher
education
climate surveys,—
procedures.

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 Fernandes and Julian Cyr (by vote of the town) relative to authorizing the conveyance of land from the county of Nantucket and authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of said land situated in the town of Nantucket held for open space purposes. Under suspension of the rules, on motion of Ms. Provost of Somerville, 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.

Nantucket,—
land.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to regional schools (House, No. 271), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Hill of Ipswich; and it was passed to be engrossed. Sent to the Senate for concurrence.

Regional
schools.

The House Bill relative to a certain conservation restriction in the town of Webster (House, No. 4103), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. McKenna of Webster; and it was passed to be engrossed. Sent to the Senate for concurrence.

Webster,—
land.

The Senate Bill authorizing the city of Northampton to release a certain conservation easement and conservation restriction (Senate, No. 2512), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Goldstein-Rose of Amherst; and it was passed to be engrossed. Sent to the Senate for concurrence.

Northampton,—
land.

Recess.

At a ten minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before one o'clock P.M.; and five minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

*Joint Session of the Two Houses to Consider
Specific Amendments to the Constitution.*

At one o'clock P.M., the two branches met in

Joint convention.

JOINT SESSION.

And were called to order by the Honorable Harriette L. Chandler, President of the Senate.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Senator Lovely, at one minute past one o'clock P.M., the joint session was recessed until twelve o'clock noon, on Tuesday, December 31, 2018; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to postpartum depression screening (House, No. 1156), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4808). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Postpartum
depression.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was

ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Fiola of Fall River, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to thoroughbred breeding (House, No. 1978), ought to pass with an amendment substituting therefor a Bill relative to simulcasting and racing (House, No. 4809). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Simulcasting
and racing.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to workplace safety (House, No. 4219), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4811). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Workplace
safety.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, the same member moved to amend it in section 1, in line 7, by inserting after the word “offeror” the following: “, or against any company operating as a sole proprietorship, limited partnership or limited liability partnership or corporation or any affiliated business or subsidiary of which the offeror is, or was within the preceding 4-year period, the owner, manager, officer or director,”; and

In section 2, in line 49, by inserting after the word “applicant” the following: “, or against any company operating as a sole proprietorship, limited partnership or limited liability partnership or corporation or any affiliated business or subsidiary of which the applicant is, or was within the preceding 4-year period, the owner, manager, officer or director,”.

The amendments were adopted; and the bill (House, No. 4811, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to ensure compliance with federal standards regarding the handling of

Federal tax
information.

UNCORRECTED PROOF.

federal tax information (House, No. 4441), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4812). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Foxborough for fire department use (House, No. 4769), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4816) [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Foxborough,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the sale of real property in Chelmsford (House, No. 4510), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4814). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Chelmsford,—
property.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to enhance the background record check procedures of the Department of Early Education and Care (House, No. 4594), ought to pass with an amendment substituting therefor a Bill relative to the background record check procedures of the

Early
education,—
background
checks.

department of early education and care (House, No. 4815). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Grafton (House, No. 4636), ought to pass [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Grafton,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the grant of easements relative to the Obery Street Roadway Improvement Project to the town of Plymouth (House, No. 4477), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4813) [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Plymouth,—
easements.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Engrossed Bill — Land Taking.

The engrossed Bill relative to the transfer of an easement under the control of the Department of Conservation and Recreation in the city of Lynn (see House, No. 4268, changed) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Lynn,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members (Mr. Petrolati of

Bill enacted
(land taking),—
yea and nay
No. 413.

Ludlow being in the Chair) voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 413 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motion to Discharge a Certain Matter in the Orders of the Day.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2492; by inserting before the enacting clause following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enhance forthwith the ability of consumers to protect their credit reports, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and

By striking out the title and inserting in place thereof the following title: “An Act relative to consumer protection from security breaches.”) of the House Bill removing fees for security freezes and disclosures of consumer credit reports (House, No. 4241), recommending passage of a bill with the same title (House, No. 4806), was discharged from its position in the Orders of the Day and considered, under suspension of Rule 47, on motion of Mr. Chan of Quincy.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 414 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Consumers,—
security
breaches.

Conference
committee
report
accepted,—
yea and nay
No. 414.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4545, amended) of the Senate Bill to promote and enhance civic engagement (Senate, No. 2375), in part, recommending passage of a bill with the same title (Senate, No. 2631), accepted by the Senate, was considered forthwith under suspension of the rules, on motion of Ms. Peisch of Wellesley.

After remarks on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 415 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Civics
education.

Conference
committee report
accepted,—
yea and nay
No. 415.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the city of Northampton to release a certain conservation easement and conservation restriction (see Senate, No. 2512) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northampton,—
land.

UNCORRECTED PROOF.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 416 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 416.

The engrossed Bill authorizing the transfer of care and control of certain parcels of land in the town of Middleborough from the Department of Correction to the Department of Fish and Game (see House, No. 4261) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Middleborough,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 417.

[See Yea and Nay No. 417 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Falmouth to sell a parcel of land known as the Farley Bog (see House, No. 4561) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Falmouth,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 418.

[See Yea and Nay No. 418 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels in the town of Shrewsbury (see House, No. 4312) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Shrewsbury,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 419.

[See Yea and Nay No. 419 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the city of Cambridge to change the use of certain land acquired for open space recreational purposes to a use for traffic

Cambridge,—
land.

reconfiguration purposes (see House, No. 4634) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 420 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 420.

Reports of Committees.

Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 2823) of John J. Mahoney and others relative to promoting emerging breweries.

Emerging
breweries.

Under suspension of the rules, on motion of Mr. Chan of Quincy, the report was considered forthwith. Pending the question on acceptance of the report, the petition was referred to the committee on Ways and Means, on further motion of the same member.

Mr. Donato of Medford being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Resolve creating a task force on sexual misconduct climate surveys for colleges and universities in Massachusetts (House, No. 4159), ought to pass with an amendment substituting therefor a Bill requiring sexual misconduct climate surveys at institutions of higher education (House, No. 4810). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Colleges,—
sexual
misconduct.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Sánchez of Boston moved to amend it in section 2, in line 51, by striking out the following: “section 6A of chapter 15A” and inserting in place thereof the following: “section 168D of chapter 6”; and the amendment was adopted.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Scibak of South Hadley; and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 421.

[See Yea and Nay No. 421 in Supplement.]

Therefore the bill (House, No. 4810, amended) was passed to be engrossed. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

Subsequently a statement of Ms. Decker of Cambridge was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I was absent from the House Chamber on official business in another part of the State House. Had I been present I would have voted in the affirmative.

Statement of
Ms. Decker of
Cambridge.

Emergency Measures.

The engrossed Bill providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (see House bill printed in House, No. 4573), 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.

Housing,—
bonding.

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 38 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 sent to the Senate.

Bill
enacted.

The engrossed Bill providing for the terms of certain bonds for continued investment in the life sciences to be issued by the Commonwealth (see House bill printed in House, No. 4668), 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.

Life sciences,—
bonding.

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 44 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 sent to the Senate.

Bill
enacted.

The engrossed Bill providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (see House bill printed in House, No. 4669), 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.

Capital
improvements,—
bonding.

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 42 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

To promote and enhance civic engagement (see Senate, No. 2631) (which originated in the Senate);

Bills
enacted.

Exempting Brian M. Belfiore from civil service maximum age requirements for the position of firefighter in the city of Haverhill (see House, No. 4186); and

UNCORRECTED PROOF.

Relative to consumer protection from security breaches (see House, No. 4806);
(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.

Motion to Discharge a Certain Matter in the Orders of the Day.

The Senate amendment of the House Bill relative to Alzheimer's and related dementias in the Commonwealth (House, No. 4116, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Ms. Gregoire of Marlborough.

Alzheimer's
and related
dementias.

Pending the question on adoption of the amendment, in concurrence, the same member then moved that the House concur with the Senate in its amendment with a further amendment by striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 4817. 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Representative Cabral of New Bedford then moved that when the House adjourns today, it do so in respect to the memory of George Rogers, a member of the House from New Bedford from 1965 to 1970, inclusive; and also from 1999 to 2002, inclusive, Mayor of the city of New Bedford in 1970 and 1971, and a state Senator from 1975 to 1978, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at five minutes after four o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JULY 26, 2018.

[84]

JOURNAL OF THE HOUSE.

Thursday, July 26, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Creation and Recreation, we give thanks today for the natural beauty of our Commonwealth. We ask Your blessings to come upon our House members and their staff who need to remain indoors to work to achieve a budget for the operation of the state's many governmental divisions and departments.

Today we pray in thanksgiving for the Cape Cod Rail Trail. During the warm months the 22 mile paved path is used for bicycling, roller blading and hiking as the trail makes its way on a section of the former Old Colony Railroad through seven towns in Barnstable County.

May God continue to bless our Commonwealth.

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.

Change in Committee of Conference Membership.

The Speaker announced that Mr. Kafka of Stoughton had been relieved of duty (at his own request) from the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4565, amended) of the Senate Bill to protect animal welfare and safety in cities and towns (Senate, No. 2347); and that Ms. Peake of Provincetown had been appointed to said committee to fill the vacancy.

The membership of the committee on the part of the House is as follows: Representatives Peake of Provincetown, O'Day of West Boylston and Muradian of Grafton.

Notice of the change in the House membership of the committee was sent to the Senate for their information.

Petition.

Representative Fernandes of Falmouth and Senator Cyr presented a joint petition (accompanied by bill, House, No. 4819) of Dylan Fernandes and Julian Cyr (by vote of the town) relative to the membership of the Nantucket Planning and Economic Development Commission; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Prayer.

Pledge of allegiance.

Animal safety.

Committee of conference.

Nantucket,—
Economic
Development
Commission.

Papers from the Senate.

Bills

Authorizing the Department of Fish and Game to acquire a conservation restriction on certain parcels of land of the town of Groveland (Senate, No. 2319) (on a petition);

Groveland,—
land.

Relative to an easement plan for the Milton Inline Inspection Project (Senate, No. 2369) (on a petition);

Milton,—
land.

Authorizing the commissioner of Capital Asset Management and Maintenance to modify and relocate an easement in the town of West Boylston (Senate, No. 2559) (on a petition);

West
Boylston,—
land.

Authorizing the commissioner of Capital Asset Management and Maintenance and the town of Hingham to grant certain easements upon certain land located in the town of Hingham (Senate, No. 2582) (on a petition); and

Hingham,—
land.

Authorizing the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company d/b/a Eversource Energy in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth (Senate, No. 2603) (on Senate bill No. 2593); and

Bourne,—
land.

The Resolve relative to the digital right to repair (Senate, No. 2630) (on Senate resolve No. 2430) [Representative McKenna of Webster, of the committee on Consumer Protection and Professional Licensure, dissenting];

Right
to repair.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill providing firefighters and police officers with the opportunity to enter a cessation program prior to termination (Senate, No. 1386) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Public safety,—
cessation
program.

The following notice was received from the Clerk of the Senate, to wit:—

July 26, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that on this day the Honorable Karen E. Spilka has been elected President of the Massachusetts Senate.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the release of an agricultural covenant on a certain parcel of land in the town of Lancaster (House, No. 4771).

Lancaster,—
land.

By the same member, for the same committee, on a petition, a Bill relative to a certain agricultural restriction held by the Commonwealth on land in the town of Westborough (House, No. 4772).

Westborough,—
land.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (House, No. 4675) [Local Approval Received].

Northfield,—
Floyd
Dunnell.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services (House, No. 4734).

Elizabeth
Kendall,—
sick leave.

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

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the Senate Resolutions for a United States constitutional amendment and amendments convention (Senate, No. 2243), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on adoption.

United States
constitutional

Orders of the Day.

House bills

Relative to the release of a restriction on land in the city of Taunton (printed in House, No. 3712);

Third
reading
bills.

Establishing a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission (House, No. 4653); and

Authorizing the grant of easements relative to the Obery Street Roadway Improvement Project in the town of Plymouth (House, No. 4813);

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.

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at thirteen minutes before four o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Petition.

Representative Kulik of Worthington and Senator Hinds presented a joint petition (subject to Joint Rule 12) of Stephen Kulik and Adam G. Hinds relative to releasing certain land in the town of Cummington from the operation of an agricultural preservation restriction; and the same was referred, under Rule 24, to the committee on Rules.

Cummington,—
land.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill) of Adam G. Hinds and Paul W. Mark for legislation to establish a sick leave bank for Marco Adorno, an employee of the Massachusetts Department of Transportation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Marco
Adorno —
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2634) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Mr. Moran of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 4671), reported recommending passage of a bill with the same title (House, No. 4834). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Automatic
voter
registration.

Mr. Murphy of Weymouth, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question, being on acceptance.

Mr. Nangle of Lowell, for the committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2602) of the House Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4613), reported a bill with the same title (House, No. 4835) [Bond Issue: \$2,402,833,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Environmental
bond bill.

Mr. Murphy of Weymouth, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question being on acceptance.

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 RoseLee Vincent and Joseph A. Boncore for legislation to establish a sick leave bank for Diane Misiano, an employee of the Department of Revenue. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Diane
Misiano,—
sick leave.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At nine minutes before four o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



FRIDAY, JULY 27, 2018.

[85]*

JOURNAL OF THE HOUSE.

Friday, July 27, 2018.

Met according to adjournment at eleven o'clock A.M., 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.

*Messages from the Governor — Disapprovals and Recommendations of
Amendments in General Appropriation Bill.*

A message from His Excellency the Governor returning with his disapproval of certain items contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4800] (for message, see House, No. 4832), filed in the office of the Clerk on Thursday, July 26, was read.

General
Appropriation
Bill,—
disapprovals.

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

A message from His Excellency the Governor returning with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4800] (for message, see House, No. 4833), filed in the office of the Clerk on Thursday, July 26, was read.

General
Appropriation
Bill,—
amendments.

So much of the message as relates to the sections returned with recommendations of amendments were referred, as follows:

- Section 12 — Printed as House, No. 4820;
- Section 29 — Printed as House, No. 4821;
- Section 38 — Printed as House, No. 4822;
- Sections 39, 52, 54, 56, 58 to 60 and 112 — Printed as House, No. 4823;
- Section 62 — Printed as House, No. 4824;
- Section 63 — Printed as House, No. 4825;
- Section 82 — Printed as House, No. 4826;
- Section 84 — Printed as House, No. 4827;
- Section 87 — Printed as House, No. 4828;
- Section 89 — Printed as House, No. 4829;
- Section 99 — Printed as House, No. 4830; and
- Section 104 — Printed as House, No. 4831.

Severally, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Papers from the Senate.

Bills

Promoting awareness of sewage pollution in public waters (Senate, No. 2617) (on Senate bill No. 2394);

Protecting research animals (Senate, No. 2624) (on Senate bill No. 2387);

Regarding breakfast after the bell (Senate No. 2626) (on Senate bill No. 2441);

Expanding the sale of products by farmer breweries and distilleries (Senate, No. 2627) (on Senate bill No. 2459); and

Relative to critical incident intervention by emergency service providers (Senate, No. 2633) (on Senate bill No. 1373);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Public water,—
sewage.

Research animals.

Breakfast.

Breweries and
distilleries.

Emergency service
providers.

Reports of Committees.

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

Authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (House, No. 4675) [Local Approval Received]; and

Establishing a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services (House, No. 4734);

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.

Northfield,—
Floyd Dunnell.

Elizabeth
Kendall,—
sick leave.

Engrossed Bill.

The engrossed Bill relative to Alzheimer's and related dementias in the Commonwealth (see House, No. 4116, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At nine minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock noon; and at twenty-five minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Peisch of Wellesley, Cronin of Easton and Ferguson of Holden while said members are

Foundation
budget
conferees,—
voting.

involved in conference committee negotiations during today's session.

Papers from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4540) to the Senate Bill relative to veterans' benefits, rights, appreciation, validation and enforcement (Senate, No. 2509), recommending passage of a bill with the same title (Senate, No. 2632), came from the Senate with the endorsement that it had been accepted by said branch; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Veterans' benefits.

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

Under suspension of Rule 7A, on motion of Mr. Lawn of Watertown, the report was considered forthwith.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 422 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Conference committee report accepted,—yea and nay No. 422.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2638) of Ryan C. Fattman and Joseph D. McKenna for legislation to establish a sick leave bank for Thomas Millett, an employee of the Department of Correction; and

Thomas Millett,—sick leave.

Petition (accompanied by bill, Senate, No. 2639) of Michael O. Moore and Kate D. Campanale for legislation to establish a sick leave bank for Tiffany Sonnier, an employee of the Department of Mental Health;

Tiffany Sonnier,—sick leave.

Severally to the committee on Public Service.

Reports of Committees.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the conveyance of land from the county of Nantucket and authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of said land situated in the town of Nantucket held for open space purposes (House, No. 4818) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Nantucket,—land.

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

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill concerning the rental of mopeds and motor scooters in the town of Oak Bluffs (House, No. 4727) [Local Approval Received].

Oak Bluffs,—
motor scooters.

By the same member, for the same committee, on a petition, a Bill relative to the position of appointed tax collector in the town of Hadley (House, No. 4750) [Local Approval Received].

Hadley,—
tax collector.

By the same member, for the same committee, on a petition, a Bill relative to the position of appointed treasurer in the town of Hadley (House, No. 4751) [Local Approval Received].

Hadley,—
treasurer.

By the same member, for the same committee, on a petition, a Bill relative to the membership of the Conservation Commission of the town of Charlton (House, No. 4805) [Local Approval Received].

Charlton,—
conservation
commission.

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

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the following bills ought to pass:

Authorizing the Department of Fish and Game to acquire a conservation restriction on land of the town of Groveland (Senate, No. 2319);

Groveland,—
land.

Authorizing the commissioner of Capital Asset Management and Maintenance to modify and relocate an easement in the town of West Boylston (Senate, No. 2559);

West Boylston,—
land.

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

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

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

Subsequently under suspension of the rules, in each instance, on motion of Mr. Speliotis of Danvers, the bills (having been 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.

By the same member, for the same committee, that the following bills ought to pass:

Authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc (House, No. 4265); and

Lynn,—
land.

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement to the town of New Salem (House, No. 4760).

New Salem,—
land.

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

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

UNCORRECTED PROOF.

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

Subsequently under suspension of the rules, in each instance, on motion of Mr. Speliotis of Danvers, the bills (having been 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.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to release a portion of a certain parcel of land in the town of Berkley from an agricultural preservation restriction (Senate, No. 2395), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Berkley,—
land.

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

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

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company d/b/a Eversource Energy in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth (Senate, No. 2603), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Eversource,—
land.

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

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

Subsequently under suspension of the rules, on motion of the same member, the bill (having been 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, its title having been changed by said committee to read: “An Act authorizing the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth.”

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill providing for the abandonment of a certain water line easement in Revere and Malden (Senate, No. 2576), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4836. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Revere and
Malden,—
water line.

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

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a

third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the department of capital asset management and maintenance to release a certain easement in the cities of Malden and Revere, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (Senate, No. 2576, amended) was passed to be engrossed. Sent to the Senate for concurrence in the amendments adopted by the House.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the conveyance of Article 97 land to the city known as the town of Franklin (House, No. 4054) [Local Approval Received], ought to pass with an amendment substituting therefor a Bill authorizing the commissioner of capital asset management [sic] to convey certain land to the city known as the town of Franklin (House, No. 4837). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Franklin,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the department of capital asset management and maintenance to convey certain parcels of land in the city known as the town of Franklin, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4837, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to school transportation (House, No. 4132), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4840). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

School
transportation.

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

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill

was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Sánchez of Boston moved to amend it in section 10, in line 46, by striking out the words “pursuant to this section” and inserting in place thereof the following: “for the cost of transportation of nonresident pupils, as required by the McKinney-Vento Homeless Assistance Act, Public Law 100-77.”

The amendment was adopted; and the bill (House, No. 4840, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the town of Southborough (House, No. 4439), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4839). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Southborough,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the department of capital asset management and maintenance to convey certain parcels of land in the town of Southborough, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4839, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the conveyance of a certain parcel of land in the city of Lowell (House, No. 4440), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4838). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lowell,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

UNCORRECTED PROOF.

Subsequently under suspension of the rules, on motion Mr. Speliotis of Danvers, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lowell."

Pending the question on passing the bill to be engrossed, the same member moved to amend by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey forthwith a certain parcel of land in the city of Lowell, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4838, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Motions to Discharge Certain Matters in the Orders of the Day.

Mrs. Haddad of Somerset being in the Chair,—

Report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2602) of the House Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4613), recommending passage of a bill with the same title (House, No. 4835) [Bond Issue: \$2,402,833,000.00], was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Nangle of Lowell.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call (Mr. Donato of Medford being in the Chair) 148 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 423 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 4671), recommending passage of a bill with the same title (House, No. 4834), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Moran of Boston.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 134 members voted in the affirmative and 16 in the negative.

[See Yea and Nay No. 424 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Environmental
bond bill.

Conference
committee
report
accepted,—
yea and nay
No. 423.

Automatic
voter
registration.

Conference
committee
report
accepted,—
yea and nay
No. 424.

Engrossed Bill.

The engrossed Bill relative to veterans' benefits, rights, appreciation, validation and enforcement (Senate, No. 2632) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Veterans' benefits.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Lawn of Watertown; and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill enacted,—
yea and nay
No. 425.

[See Yea and Nay No. 425 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

At four minutes before three o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at seventeen minutes before four o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Lenox to convey a certain parcel of land to the Massachusetts Audubon Society, Inc. (see House, No. 4627) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Lenox,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 426.

[See Yea and Nay No. 426 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4832), returning with his reduction or disapproval of certain items contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), reported, in part, that certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Murphy of Weymouth, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule

7A, in each instance, on motion of Mr. Sánchez of Boston, the reports were considered forthwith.

Item 0640-0300 (contained in section 2) (Massachusetts Cultural Council), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$16,154,982 to \$14,070,699.

After remarks on the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 142 members voted in the affirmative and 8 in the negative.

[See Yea and Nay No. 427 in Supplement.]

Therefore item 0640-0300 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2000-0100 (contained in section 2) (environmental affairs administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$9,590,558 to \$9,385,558.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 128 members voted in the affirmative and 22 in the negative.

[See Yea and Nay No. 428 in Supplement.]

Therefore item 2000-0100 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0339-1011 (contained in section 2) (community based re-entry programs), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$5,000,000 to \$2,500,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 122 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 429 in Supplement.]

Therefore item 0339-1011 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0601 (contained in section 2) (MassHealth senior care), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$3,587,516,725 to \$3,583,516,725.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 147 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 430 in Supplement.]

Therefore item 4000-0601 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7007-0801 (contained in section 2) (microlending), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from

Massachusetts
Cultural
Council
item 0640-0300
stands,—
yea and nay
No. 427.

Environmental
affairs
administration
item 2000-0100
stands,—
yea and nay
No. 428.

Community based
re-entry programs
item 0339-1011
stands,—
yea and nay
No. 429.

MassHealth
senior care
item 4000-0601
stands,—
yea and nay
No. 430.

\$300,000 to \$200,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 121 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 431 in Supplement.]

Therefore item 7007-0801 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7000-9501 (contained in section 2) (state aid to public libraries), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$9,612,700 to \$9,362,700.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 123 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 432 in Supplement.]

Therefore item 7000-9501 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1595-6368 (contained in section 2E) (transfer from Commonwealth Transport Fund to Expend Trust Fund), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$358,546,448 to \$357,729,448.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 118 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 433 in Supplement.]

Therefore item 1595-6368 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2800-0700 (contained in section 2) (Dam Regulatory Office), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$720,361 to \$620,361.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 434 in Supplement.]

Therefore item 2800-0700 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8000-0313 (contained in section 2) (local public security grants), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$3,326,000 to \$210,000.

On the question on passing said item, notwithstanding the reductions of the

Micro lending
item 7007-0801
stands,—
yea and nay
No. 431.

State aid to
public libraries
item 7000-9501
stands,—
yea and nay
No. 432.

Transport Fund
transfer to
Expend
Trust Fund
item 1595-6368
stands,—
yea and nay
No. 433.

Dam Regulatory
Office
item 2800-0700
stands,—
yea and nay
No. 434.

Local public

Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 147 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 435 in Supplement.]

Therefore item 8000-0313 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7002-0010 (contained in section 2) (Executive Office of Economic Development), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$2,672,026 to \$2,472,026.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 117 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 436 in Supplement.]

Therefore item 7002-0010 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4590-0250 (contained in section 2) (school based health programs), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$12,840,955 to \$12,040,955.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 120 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 437 in Supplement.]

Therefore item 4590-0250 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2330-0100 (contained in section 2) (Division of Marine Fisheries administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$6,989,289 to \$6,839,289.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 117 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 438 in Supplement.]

Therefore item 2330-0100 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8324-0000 (contained in section 2) (Department of Fire Services), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$27,327,145 to \$23,411,145.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 149 members voted in the affirmative and 1 in the negative.

security grants
item 8000-0313
stands,—
yea and nay
No. 435.

Executive
Office of
Economic
Development
item 7002-0010
stands,—
yea and nay
No. 436.

School based
health programs
item 4590-0250
stands,—
yea and nay
No. 437.

Division of
Marine Fisheries
administration
item 2330-0100
stands,—
yea and nay
No. 438.

Department of
Fire Services
item 8324-0000
stands,—
yea and nay

[See Yea and Nay No. 439 in Supplement.]

Therefore item 8324-0000 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 9110-1630 (contained in section 2) (home care services for the elderly), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$175,054,124 to \$175,019,124.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 118 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 440 in Supplement.]

Therefore item 9110-1630 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8100-1001 (contained in section 2) (Department of State Police), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$282,635,645 to \$281,420,645.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 140 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 441 in Supplement.]

Therefore item 8100-1001 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1599-0026 (contained in section 2) (municipal regionalization and efficiencies incentive reserve), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$10,935,000 to \$9,575,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 124 members voted in the affirmative and 26 in the negative.

[See Yea and Nay No. 442 in Supplement.]

Therefore item 1599-0026 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2800-0100 (contained in section 2) (conservation and recreation), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,634,615 to \$4,549,615.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 443 in Supplement.]

Therefore item 2800-0100 passed, notwithstanding the reductions of the

No. 439.

Home care services
for the elderly
item 9110-1630
stands,—
yea and nay
No. 440.

Department
of State Police
item 8100-1001
stands,—
yea and nay
No. 441.

Municipal
regionalization
and efficiencies
incentive reserve
item 1599-0026
stands,—
yea and nay
No. 442.

Conservation
and recreation
item 2800-0100
stands,—
yea and nay
No. 443.

Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4513-1111 (contained in section 2) (health promotion and disease prevention), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,059,369 to \$3,909,369.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 127 members voted in the affirmative and 23 in the negative.

[See Yea and Nay No. 444 in Supplement.]

Therefore item 4513-1111 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 5920-2025 (contained in section 2) (community based day and work programs), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$210,704,791 to \$210,679,791.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 128 members voted in the affirmative and 22 in the negative.

[See Yea and Nay No. 445 in Supplement.]

Therefore item 5920-2025 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7077-0023 (contained in section 2) (Tufts School of Veterinary Medicine), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$5,500,000 to \$5,000,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 126 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 446 in Supplement.]

Therefore item 7077-0023 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8200-0200 (contained in section 2) (municipal police training), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,868,930 to \$4,788,930.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 131 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 447 in Supplement.]

Therefore item 8200-0200 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7002-0036 (contained in section 2) (urban agenda economic development grants), which had been reduced by the Governor, then was considered.

Health promotion and disease prevention item 4513-1111 stands,— yea and nay No. 444.

Community based day and work programs item 5920-2025 stands,— yea and nay No. 445.

Tufts School of Veterinary Medicine item 7077-0023 stands,— yea and nay No. 446.

Municipal police training item 8200-0200 stands,— yea and nay No. 447.

UNCORRECTED PROOF.

The Governor had stricken certain wording and reduced said item from \$650,000 to \$500,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 448 in Supplement.]

Therefore item 7002-0036 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7003-0803 (contained in section 2) (one stop career centers), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,060,051 to \$3,960,051.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 117 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 449 in Supplement.]

Therefore item 7003-0803 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2810-0122 (contained in section 2) (local parks grants), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$5,020,000 to \$1,095,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 144 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 450 in Supplement.]

Therefore item 2810-0122 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Motion to Discharge a Certain Matter in the Orders of the Day.

The engrossed Bill relative to protecting the rights of custodial and other non-teaching employees of school districts (see House, No. 1390, amended), which had been returned to the House by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4799), was considered, under suspension of Rule 47, on motion of Mrs. Haddad of Somerset.

On the question on passing the bill, notwithstanding the said objections, was determined by yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 451 in Supplement.]

Therefore the bill was passed, notwithstanding the objections of His Excellency the Governor (more than two thirds of the members having agreed to pass the same). Sent to the Senate for its action.

Urban agenda
economic
development grants
item 7002-0036
stands,—
yea and nay
No. 448.

One stop
career centers
item 7003-0803
stands,—
yea and nay
No. 449.

Local parks
grants item
2810-0122
stands,—
yea and nay
No. 450.

School
districts,—
non-teaching
employees.

Bill passed
over veto,—
yea and nay
No. 451.

UNCORRECTED PROOF.

The House Bill dissolving the redevelopment authority in the town of Ashland (House, No. 3875), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O’Day of West Boylston.

Ashland,—
redevelopment
authority.

Pending the question on passing the bill to be engrossed Mr. Speliotis of Danvers moved to amend it in line 21 by inserting after the word “Ashland” the following: “; provided, however, that prior to any transfer of such real property, the real property owned by the Ashland Redevelopment Authority as recorded by deed in Book 44742, Page 580 in the Middlesex South registry of deeds and located at 125 Front street in the town of Ashland shall be permanently restricted for affordable housing and open space purposes pursuant to section 12 of chapter 44B of the General Laws; and provided, further that such restriction shall be recorded in a form consistent with the requirements of said section 12 of said chapter 44B in the Middlesex South registry of deeds.”.

The amendment was adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 3875, amended) then was sent to the Senate for concurrence.

Recess.

At eighteen minutes after five o’clock P.M. (Friday, July 27, 2018), the Chair (Mr. Donato of Medford) declared a recess until the following Monday at eleven o’clock A.M.; and at that time, the House was called to order with Mr. Donato in the Chair.

Recess.

Monday, July 30, 2018 (at 11:02 o'clock A.M.).

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.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) honoring Nicole Hamel on the occasion of her retirement as president of the Westford Rotary;

Nicole
Hamel.

Resolutions (filed by Representatives Howitt of Seekonk and Haddad of Somerset) congratulating Elias Carr on receiving the Eagle Award of the Boy Scouts of America;

Elias
Carr.

Resolutions (filed by Representatives Howitt of Seekonk and Haddad of Somerset) congratulating Matthew DaCosta on receiving the Eagle Award of the Boy Scouts of America;

Matthew
DaCosta.

Resolutions (filed by Representatives Howitt of Seekonk and Haddad of Somerset) congratulating Christopher Hoskins on receiving the Eagle Award of the Boy Scouts of America;

Christopher
Hoskins.

Resolutions (filed by Representatives Howitt of Seekonk and Haddad of Somerset) congratulating Hunter Hutchins on receiving the Eagle Award of the Boy Scouts of America; and

Hunter
Hutchins.

Resolutions (filed by Mr. Tucker of Salem) congratulating the House of the Seven Gables on its three hundred and fiftieth anniversary;

House of the
Seven Gables.

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. O'Day of West Boylston, 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 authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Foxborough for fire department use (House, No. 4816), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 2, in line 29, inserting after the word "resources" the words "to be used to acquire new agricultural preservation restrictions, pursuant to the rules and guidelines of the department".

Foxborough,—
land.

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 authorizing the town of Sharon to change the use of a certain parcel of land acquired for outdoor recreational purposes to a use for general municipal purposes (House, No. 4633) (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 at the end

Sharon,—
land.

UNCORRECTED PROOF.

thereof following: “As a further condition of the change of use of Parcel T, the board of selectmen shall require that best practices be used to protect the health of trees on said Parcel T that are not required to be removed for the construction of a municipal building and related facilities, including parking.”

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.

A Bill enhancing the issuance of citations for cruel conditions for animals (Senate, No. 2640) (on Senate bill No. 2285), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Animals,—
cruelty.

Reports of Committees.

By Mr. Roy of Franklin, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to the closing of hospital essential services (House, No. 1143),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence, insomuch as relates to the discharge.

Closing,—
hospital
services.

By Ms. Peisch of Wellesley, for the committee on Education, on a joint petition, a Bill relative to the financial condition of the Pioneer Valley Regional School District (House, No. 4746).

Pioneer Valley
Regional School
District.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4773, a Bill regarding the use of inserts to accompany municipal property tax bills in the city of Medford (House, No. 4848) [Local Approval Received].

Medford,—
property tax
bill inserts.

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

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4765, a Bill relative to raising the income threshold for senior real property tax deferments in the town of Brookline (House, No. 4847) [Local Approval Received].

Brookline,—
senior property
tax deferment.

By the same member, for the same committee, on House, No. 4780, a Bill authorizing the city of Newton to amend the income qualifications for a certain tax deferral program (House, No. 4849) [Local Approval Received].

Newton,—
tax deferral
program.

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

Recess.

At four minutes after eleven o'clock A.M. (Monday, July 30, 2018), on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until five minutes before twelve o'clock noon; and at four minutes after twelve o'clock, the House was called to order with the Speaker in the Chair.

Recess.

Guest of the House.

During the session, the Speaker took the Chair, declared a brief recess and introduced William Gross, incoming Commissioner of the Boston Police

Boston Police
Commissioner

UNCORRECTED PROOF.

Department, who briefly addressed the House. Commissioner Gross was the guest of the Black and Latino Caucus and the Boston delegation.

William Gross.

Recess.

At twenty-two minutes before one o'clock P.M., the Speaker declared a recess until one o'clock P.M.; and at twenty-seven minutes after one o'clock P.M. the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representative Peake of Provincetown while said member is involved in conference committee negotiations during today's session.

PAWS conferee,—
voting.

Reports of Committees.

Mr. Michlewitz of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2400) of the House Bill regulating and insuring short-term rentals (House, No. 4327), reported recommending passage of a bill with the same title (House, No. 4841).

Short term rentals.

Under suspension of the rules, on motion of the same member, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz; and on the roll call 119 members voted in the affirmative and 30 in the negative.

Conference committee report accepted,—
yea and nay
No. 452.

[See Yea and Nay No. 452 in Supplement.]

[Mr. Galvin of Canton answered "Present" in response to his name.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to firefighters cessation program (Senate, No. 1386), be scheduled for consideration by the House.

Firefighters,—
smoking
cessation.

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

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the commissioner of Capital Asset Management and Maintenance and the town of Hingham to grant certain easements upon certain land located in the town of Hingham (Senate, No. 2582), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4842. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hingham,—
land.

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

UNCORRECTED PROOF.

Under suspension of Rule 7A, on motion of Mrs. Haddad of Somerset, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2582, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence in the amendment.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the creation of the Commonwealth Technical Rescue Regions and Coordinating Council (Senate, No. 2614), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4843. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Technical
Rescue
Regions.

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

Under suspension of Rule 7A, on motion of Mrs. Haddad of Somerset, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2614, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence in the amendment.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to diabetes prevention (House, No. 1128), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4844). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Diabetes
prevention.

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

Mrs. Haddad of Somerset moved that Rule 7A be suspended in order that the bill be read a second time forthwith.

On motion to suspend Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 116 members voted in the affirmative and 34 in the negative.

Rule 7A
suspended,—
yea and nay
No. 453.

[See Yea and Nay No. 453 in Supplement.]

Therefore Rule 7A was suspended.

The bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mrs. Haddad of Somerset, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing a surface and sub-surface easement at the Chestnut Hill Reservation located in the Brighton section of the city of Boston (House, No. 4803), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and

Brighton,—
land.

Scheduling.

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

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

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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, its title having been changed by said committee to read: "An Act authorizing the department of capital asset management and maintenance [sic] to grant a surface and sub-surface easement at the Chestnut Hill Reservation located in the Brighton section of the city of Boston." Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill designating domestic workers' rights day (House, No. 4736), be scheduled for consideration by the House.

Domestic workers' rights day.

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

Motion to Suspend Rule 24(3).

Mr. Lyons of Andover moved that Rule 24(3) be suspended so that he might offer, from the floor, a petition for the adoption of resolutions by the General Court requesting the Governor (with consent of the council) to remove Timothy Q. Feeley from the office of Justice of the Superior Judicial Court of Essex County, which was read as follows:

Justice Timothy Q. Feeley.

Resolved, That both houses of the legislature hereby request the governor (with consent of the council) to remove, under the provisions of Article I of chapter III of Part the Second of the Constitution, Timothy Q. Feeley from the office of Justice of the Superior Judicial Court of Essex County; and be it further

Resolved, That the clerk of the Senate be directed to transmit an engrossed copy of these resolutions to the governor forthwith."

After debate the motion to suspend Rule 24(3) was negatived; and the petition was referred, under said rule, to the committee on Rules.

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate Bill authorizing the city of Westfield to accept certain ways as public ways (Senate, No. 2241) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mrs. Haddad of Somerset; and it was passed to be engrossed, in concurrence.

Westfield,—public ways.

The House Bill providing for equitable coverage in disability policies (House, No. 482), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

Disability policies,—coverage.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of

UNCORRECTED PROOF.

Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 108M the following section:-

Section 108N. An insurer or producer authorized to issue policies against disability from injury or disease in the commonwealth shall not make a distinction or otherwise discriminate between persons, reject an applicant, cancel a policy, or demand or require a higher rate of premium for reasons based solely upon an applicant’s or insured’s race, color, religious creed, national origin, sex, pregnancy, gender identity, sexual orientation or marital status.

A violation of this section shall constitute an unfair method of competition or an unfair or deceptive act or practice in violation of chapter 176D.

SECTION 2. This act shall take effect on January 1, 2019.”.

The amendment was adopted; and the bill (House, No. 482, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the establishment of a means tested senior citizen property tax exemption (House, No. 4001), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Jones of North Reading.

Senior citizen property tax exemption.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yea and nays, at the request of the same member; and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,— yea and nay No. 454.

[See Yea and Nay No. 454 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measures.

The engrossed Bill automatically registering eligible voters and enhancing safeguards against fraud (see House, No. 4834), 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.

Automatic voter registration.

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 18 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 sent to the Senate.

Bill enacted.

The engrossed Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (see House, No. 4835), 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.

Environmental bond bill.

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 32 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency

Bill enacted (land taking-

preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the amendments to the Constitution and this also being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 455 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

state loan),—
yea and nay
No. 455.

Reports of Committees.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4832), returning with his reduction or disapproval of certain items contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), reported, in part, that certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Murphy of Weymouth, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

There being no objection, Mr. Sánchez of Boston then moved suspension of said rule, in each instance, in order that the reports may be considered forthwith.

On suspension of Rule 7A, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 114 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 456 in Supplement.]

Therefore Rule 7A was suspended; and the reports were considered as follows:

Item 7006-0011 (contained in section 2) (investigations and enforcement), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording, inserted certain wording and reduced said item from \$2,050,000 to \$1,550,000.

After remarks on the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 457 in Supplement.]

Therefore item 7006-0011 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4403-2000 (contained in section 2) (direct aid to families with dependent children), which had been disapproved by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 118 members

General
Appropriation
Bill.

Rule 7A
suspended—
yea and nay
No. 456.

Investigations
and enforcement
item 7006-0011
stands,—
yea and nay
No. 457.

Direct aid to
families with
dependent
children

voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 458 in Supplement.]

Therefore item 4403-2000 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1599-4417 (contained in section 2) (Collins Center for Public Management), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$550,000 to \$300,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 119 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 459 in Supplement.]

Therefore item 1599-4417 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7006-0142 (contained in section 2) (Office of Public Safety and Inspections), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording, inserted certain wording and reduced said item from \$14,057,504 to \$14,007,504.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 121 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 460 in Supplement.]

Therefore item 7006-0142 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4512-0500 (contained in section 2) (Division of Dental Health - administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording, inserted certain wording and reduced said item from \$2,025,016 to \$1,875,016.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 123 members voted in the affirmative and 26 in the negative.

[See Yea and Nay No. 461 in Supplement.]

Therefore item 4512-0500 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4513-1121 (contained in section 2) (STOP stroke program), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording, inserted certain wording and reduced said item from \$500,000 to \$250,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 462 in Supplement.]

Therefore item 4513-1121 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in

item 4403-2000
stands,—
yea and nay
No. 458.

Collins Center
for Public
Management
item 1599-4417
stands,—
yea and nay
No. 459.

Office of Public
Safety and
Inspections
item 7006-0142
stands,—
yea and nay
No. 460.

Division of
Dental Health -
administration
item 4512-0500
stands,—
yea and nay
No. 461.

STOP stroke
program
item 4513-1121
stands,—
yea and nay
No. 462.

the affirmative). Sent to the Senate for its action.

Item 7007-0300 (contained in section 2) (Office of Business Development), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$1,624,803 to \$1,544,803.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 119 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 463 in Supplement.]

Therefore item 7007-0300 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 5911-1003 (contained in section 2) (DMR administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$69,038,505 to \$68,988,505.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 464 in Supplement.]

Therefore item 5911-1003 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7002-0020 (contained in section 2) (workforce development grants), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$2,690,000 to \$2,600,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 117 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 465 in Supplement.]

Therefore item 7002-0020 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0014 (contained in section 2) (Edward M. Kennedy Community Health Center), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$200,000 to \$100,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 129 members voted in the affirmative and 21 in the negative.

[See Yea and Nay No. 466 in Supplement.]

Therefore item 4000-0014 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0300 (contained in section 2) (administration of the Medicaid program), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording, inserted certain wording and

Office of Business
Development
item 7007-0300
stands,—
yea and nay
No. 463.

DMR
administration
item 5911-1003
stands,—
yea and nay
No. 464.

Workforce
development grants
item 7002-0020
stands,—
yea and nay
No. 465.

Edward M.
Kennedy
Community
Health Center
item 4000-0014
stands,—
yea and nay
No. 466.

reduced said item from \$104,535,714 to \$104,127,269.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 139 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 467 in Supplement.]

Therefore item 4000-0300 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0700 (contained in section 2) (indemnity or third party liability plan), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$2,646,228,033 to \$2,633,428,033.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 123 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 468 in Supplement.]

Therefore item 4000-0700 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7003-1206 (contained in section 2) (Service Alliance), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$3,240,000 to \$3,215,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 469 in Supplement.]

Therefore item 7003-1206 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4510-0600 (contained in section 2) (environmental health services), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$3,905,666 to \$3,780,666.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 470 in Supplement.]

Therefore item 4510-0600 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7007-0952 (contained in section 2) (Zoological corporation), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,675,000 to \$4,600,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by

Administration of the Medicaid program item 4000-0300 stands,—
yea and nay
No. 467.

Indemnity or third party liability plan item 4000-0700 stands,—
yea and nay
No. 468.

Service Alliance item 7003-1206 stands,—
yea and nay
No. 469.

Environmental health services item 4510-0600 stands,—
yea and nay
No. 470.

Zoological corporation

Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 471 in Supplement.]

Therefore item 7007-0952 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2511-0100 (contained in section 2) (Department of Agriculture - administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$6,281,785 to \$6,105,785.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 130 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 472 in Supplement.]

Therefore item 2511-0100 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2800-0501 (contained in section 2) (DCR seasonals), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$16,067,412 to \$16,017,412.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 123 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 473 in Supplement.]

Therefore item 2800-0501 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-0099 (contained in section 2) (communities and development-administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$7,681,204 to \$7,571,204.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 119 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 474 in Supplement.]

Therefore item 7004-0099 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4200-0200 (contained in section 2) (residential services for detained), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$29,442,669 to \$28,942,669.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 121 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 475 in Supplement.]

item 7007-0952
stands,—
yea and nay
No. 471.

Department of
Agriculture -
administration
item 2511-0100
stands,—
yea and nay
No. 472.

DCR seasonals
item 2800-0501
stands,—
yea and nay
No. 473.

Communities and
development-
administration
item 7004-0099
stands,—
yea and nay
No. 474.

Residential services
for detained
item 4200-0200
stands,—
yea and nay
No. 475.

UNCORRECTED PROOF.

Therefore item 4200-0200 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1450-1266 (contained in section 2) (academic detailing program), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 119 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 476 in Supplement.]

Therefore item 1450-1266 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0328 (contained in section 2) (state plan amendment support), which had been disapproved by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 116 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 477 in Supplement.]

Therefore item 4000-0328 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7061-9401 (contained in section 2) (assessment consortium), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$400,000 to \$200,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 118 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 478 in Supplement.]

Therefore item 7061-9401 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7008-1116 (contained in section 2) (local economic development grants), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$11,384,500 to \$4,505,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 146 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 479 in Supplement.]

Therefore item 7008-1116 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Academic
detailing
program
item 1450-1266
stands,—
yea and nay
No. 476.

State plan
amendment
support
item 4000-0328
stands,—
yea and nay
No. 477.

Assessment
consortium
item 7061-9401
stands,—
yea and nay
No. 478.

Local economic
development
grants
item 7008-1116
stands,—
yea and nay
No. 479.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Sánchez of Boston moved that the engrossed Bill relative to the transitional aid to families with dependent children program (see House, No. 4823), being a printed copy of sections 39, 52, 54, 56, 58 to 60, and 112 contained in the engrossed Bill making appropriations for the fiscal year 2019 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment E of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Transitional aid to families,— family cap.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

After debate on the question on adoption of the amendment recommended by the Governor, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 37 member voted in the affirmative and 114 in the negative.

Governor's amendment rejected,— yea and nay No. 480.

[See Yea and Nay No. 480 in Supplement.]

Therefore the amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Mr. Donato of Medford being in the Chair,—

Mr. Sánchez of Boston moved that the engrossed Bill relative to the payment of pensioners for services after retirement (see House, No. 4821), being a printed copy of Section 29 contained in the engrossed Bill making appropriations for the fiscal year 2019 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Pensioners,— payment.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

The report was accepted. The amendment recommended by the Governor then was rejected. Sent to the Senate for its action.

Mr. Sánchez of Boston moved that the engrossed Bill relative to the Cambridge district court (see House, No. 4826), being a printed copy of Section 82 contained in the engrossed Bill making appropriations for the fiscal year 2019 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment H of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Cambridge district court.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Mr. Sánchez of Boston moved that the engrossed Bill relative to grants from the Massachusetts Tourism Trust Fund (see House, No. 4827), being a printed copy of Section 84 contained in the engrossed Bill making appropriations for the fiscal year 2019 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment I of

Massachusetts Tourism Trust Fund.

UNCORRECTED PROOF.

House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Recess.

At two minutes before five o'clock P.M. (Monday, July 30, 2018), on motion of Mr. Moran of Boston (Mr. Donato of Medford being in the Chair), the House recessed until six o'clock P.M.; and at twenty-nine minutes before seven, the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measures.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement to the town of New Salem (see House, No. 4760), 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.

New Salem,—
land.

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 22 to 0. Sent to the Senate for concurrence.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Foxborough for fire department use (see House, No. 4816, 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.

Foxborough,—
land.

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 23 to 0. Sent to the Senate for concurrence.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey of a certain parcel of land in the city of Lowell (see House, No. 4838, 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.

Lowell,—
land.

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 24 to 0. Sent to the Senate for concurrence.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the town of Southborough (see House, No. 4839, 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.

Southborough,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as

UNCORRECTED PROOF.

amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 16 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills
Relative to the classification of certain employees of the South Essex Sewerage District (see House, No. 4253);
Further regulating the Buzzards Bay Water District (see House, No. 4523); and
Regulating and insuring short-term rentals (see House, No. 4841);
(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.

Bills
enacted.

Recess.

At seven minutes before seven o'clock P.M. (Monday, July 30, 2018), on motion of Ms. Peake of Provincetown (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-eight minutes after seven o'clock, the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to critical incident intervention by emergency service providers (Senate, No. 2633), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4850. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency service
providers.

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

Under suspension of Rule 7A, on motion of Mr. Speliotis of Danvers, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2633, amended) was ordered to a third reading.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to state contracting (House, No. 1660), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4851). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

State
contracting.

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

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to mandated reporter reform (House, No. 4491), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4852). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mandated
reporters.

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

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the release of certain land in Rowley from operation of an agricultural covenant (House, No. 4759), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4853). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Rowley,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the release of an agricultural covenant on a certain parcel of land in the town of Lancaster (House, No. 4771), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4854). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lancaster,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to a certain agricultural restriction held by the Commonwealth on

Westborough,—
land.

land in the town of Westborough (House, No. 4772), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4855). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Somerville to the Somerville Housing Authority (House, No. 4802) [Local Approval Received], ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4856). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Somerville,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Rehoboth to transfer a conservation easement on a certain parcel of land (see House, No. 1102) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rehoboth,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 149 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 481.

[See Yea and Nay No. 481 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

At twenty-two minutes after eight o'clock P.M. (Monday, July 30, 2018), on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the

Recess.

UNCORRECTED PROOF.

Chair), the House recessed until twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

Tuesday, July 31, 2018 (at 12:00 o'clock noon).

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 Prayer.

At the request of Mr. Kulik of Worthington, the members, guests and employees stood in a moment of silent tribute to the memory of Paul Dunphy, an employee of the House since 2007 who served as District Director for Representative Stephen Kulik of the First Franklin District.

Paul
Dunphy.

Paul also served in many capacities as an official in the town of Williamsburg, including as a member of the school committee and member of the Board of Selectmen. Paul passed away on July 29, 2018, and is survived by his wife Martha Phinney, and his children Matthew and Jessica. He will be remembered as a thoughtful, caring and dedicated public servant.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced a group of naval officers from 52 nations participating in the 2019 field studies program at the Naval Command College in Newport, Rhode Island. They were accompanied by Captain Kevin McGowan, who briefly addressed the House. They were the guests of Representative Naughton of Clinton.

Naval
War College.

During the session, Ms. Cronin of Brockton took the Chair, declared a brief recess, and introduced Matt Parziale, a Brockton firefighter who qualified to play in the Master's and U.S. Open professional golf tournaments, where he made the cut and captured the low-amateur medal. He was the guest of Representatives Cassidy of Brockton, Cronin of Easton, and DuBois of Brockton and Senator Brady.

Matt
Parziale.

Statement of Representative Atkins of Concord.

A written statement received from Ms. Atkins of Concord, regarding the sessions of Tuesday, July 10, 2018, Wednesday, July 11, 2018, Thursday, July 12, 2018, Monday, July 16, 2018, Tuesday, July 17, 2018, Wednesday, July 18, 2018, and Thursday, July 19, was spread upon the records of the House, as follows:

Dear Mr. James,

During my absence from July 10, 2018 at 4pm through July 20, 2018 I missed the following roll call votes. Please see below for how I would have voted. I respectfully request that this be printed in the Journal of the House.

Statement of
Ms. Atkins
of Concord.

Roll Call # Vote

394 H. 4714 On Adoption of consolidated amendment A - Yea
395 H. 4714 On Engrossment - Yea
396 H. 4730 On Engrossment - Yea
398 H. 4725 On further Amendment - Yea
401 H. 4725 On Engrossment - Yea
402 H. 4749 On Engrossment - Yea
403 H. 4737 On Engrossment - Yea

UNCORRECTED PROOF.

- 404 H. 4739 On Engrossment - Yea
 - 405 H. 4738 On adoption of amendment 28 - Nay
 - 406 H. 4738 On Engrossment - Yea
 - 408 H. 4800 On Acceptance of the conference report - Yea
 - 409 S. 2260 On Engrossment - Yea
 - 410 H. 4486 On adoption of the further amendment - Yea
 - 411 H. 4800 On Enactment - Yea
 - 412 H. 4516 On Enactment - Yea
- Thank you for your assistance with this matter.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Peake of Provincetown, O'Day of West Boylston and Muradian of Grafton, during conference committee negotiations during today's session.

Animal welfare conferees,—
voting.

Papers from the Senate.

Bills

Relative to the disclosure of lead in water pipes (Senate, No. 2224) (on a petition); and

Lead pipes,—
disclosure.

Relative to the effective enforcement of municipal ordinances and bylaws (Senate, No. 2637) (on Senate bill No. 1130);

Municipalities,—
ordinances.

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 communication from the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of section 61A of Chapter 31 and section 5(3)(e) of Chapter 32 of the General Laws) submitting revisions to regulations for initial medical and physical fitness standards tests of municipal public safety personnel (Senate, No. 2636), was referred, in concurrence to the committee on Public Service.

Public safety personnel,—
fitness standards.

Reports of Committees.

By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 1151 and 3240, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents concerning public health (House, No. 4861). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Lactation, testing, etc.,—
study.

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. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill relative to the health insurance and other benefits in the town of East Brookfield (House, No. 4763) [Local Approval Received]. Referred, under Joint

East Brookfield,—
health insurance.

Rule 1E, to the committee on Health Care Financing.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill authorizing the town of Williamsburg to continue the employment of fire department members Alan Everett and Robert Lapointe (House, No. 4703) [Local Approval Received].

Williamsburg,—
firefighters.

By the same member, for the same committee, on a petition, a Bill exempting the position of police chief in the town of Lancaster from civil service law (House, No. 4704) [Local Approval Received].

Lancaster,—
police chief.

By the same member, for the same committee, on a petition, a Bill relative to the disability retirement of public safety personnel in the city of Quincy (House, No. 4719) [Local Approval Received].

Quincy,—
disability
retirement.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Blackstone to continue the employment of fire chief Michael Sweeney (House, No. 4764) [Local Approval Received].

Blackstone,—
Michael
Sweeney.

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

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the town of Wilbraham to exchange a certain parcel of land held for conservation purposes (Senate, No. 2583, changed) [Local Approval Received], ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4858. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wilbraham,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2583, changed and amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence in the amendment.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the small necessities leave act (House, No. 2363), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4859). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Small
necessities
leave.

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

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to certain genetically targeted drug coverage for Duchenne Muscular Dystrophy (House, No. 3644), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment previously recommended by the committee on Health Care Financing,— to amend the bill in section 2, in line 30, by inserting after the word “patient” the words “, provided however, that MassHealth shall adhere to FDA approved clinical necessity criteria”, pending.

Drug coverage.

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

Under suspension of Rule 7A, on motion of Mr. O’Day of West Boylston, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Health Care Financing was rejected.

The bill then was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O’Day of West Boylston (Mrs. Haddad of Somerset being the Chair), the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4865), which was read. The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Donato of Medford being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing the Somerville Housing Authority to reconstruct the state funded Clarendon Hill public housing project (House, No. 4580, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Somerville Housing Authority.

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

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

Subsequently, under suspension of the rules, on motion of Mr. O’Day of West Boylston, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill providing for certain health insurance coverage (House, No. 526), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Health coverage.

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

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 2823, a Bill to promote economic development and market access for emerging businesses (House, No. 4860). Read; and referred, under Rule 7A, to the committee

Market access.

on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bills — Land Takings.

The engrossed Bill relative to a certain conservation restriction in the town of Webster (see House, No. 4103) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 482 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Sharon to change the use of a certain parcel of land acquired for outdoor recreational purposes to a use for general municipal purposes (see House, No. 4633, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 483 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Grafton (see House, No. 4636) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 484 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Nantucket to convey a portion of a certain parcel of land in the town of Nantucket and held for water supply purposes

Webster,—
land.

Bill enacted
(land taking),—
yea and nay
No. 482.

Sharon,—
land.

Bill enacted
(land taking),—
yea and nay
No. 483.

Grafton,—
land.

Bill enacted
(land taking),—
yea and nay
No. 484.

Nantucket,—
land.

to the town of Nantucket to be used for roadway purposes (see House, No. 4689) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 485 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for cemetery purposes (see House, No. 4717) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 486 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate Bill relative to firefighters cessation program (Senate, No. 1386), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time forthwith, under suspension of the rules, on motion of Ms. Cronin of Easton; and it was passed to be engrossed, in concurrence.

The Senate Bill relative to critical incident intervention by emergency service providers (Senate, No. 2633, amended), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time forthwith, under suspension of the rules, on motion of Mr. Coppinger of Boston.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Naughton of Clinton; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 487 in Supplement.]

Therefore the bill (Senate, No. 2633, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House [for text of House amendment, see House document numbered 4850].

The engrossed Bill relative to a preservation trust fund transfer (see House, No. 4830), being a printed copy of Section 99 contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for

Bill enacted
(land taking),—
yea and nay
No. 485.

Nantucket,—
land.

Bill enacted
(land taking),—
yea and nay
No. 486.

Firefighters,—
smoking
cessation.

Emergency
personnel,—
intervention.

Bill passed to
be engrossed,—
yea and nay
No. 487.

Preservation
trust fund,—
transfer.

interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment L of House, No. 4833), was considered forthwith, under suspension of the rules, on motion of Mr. Sánchez of Boston.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee.

The report was accepted. The amendment recommended by the Governor then was rejected.

Mr. Sánchez of Boston then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following three sections:

“SECTION 1. Section 2 of chapter 154 of the acts of 2018 is hereby amended by striking out item 0640-0010 and inserting in place thereof the following item:—

0640-0010 For the promotional activities associated with the state lottery program; provided, that the lottery commission shall issue a report not later than June 30, 2019 to the house and senate committees on ways and means detailing additional revenues generated as related to promotional activities funded from this item; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery and Gaming Fund, established in section 35 of chapter 10 of the General Laws, to the General Fund.....\$4,500,000

SECTION 2. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2018 as follows, and in the following order of precedence: (i) transfer ½ of the surplus, not to exceed \$10,000,000, to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii) transfer ½ of the surplus, not to exceed \$10,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws.

SECTION 3. This act shall take effect as of July 1, 2018.”.

The amendment was adopted; and the bill (see House, No. 4830, amended) then was sent to the Senate for its action.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement to the town of New Salem (see House, No. 4760), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 488 in Supplement.]

New Salem,—
land.

Bill enacted
(land taking),—
yeas and nays
No. 488.

UNCORRECTED PROOF.

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Foxborough for fire department use (see House, No. 4816, amended), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 489 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the town of Southborough (see House, No. 4839, amended), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 490 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the conveyance of land from the county of Nantucket and authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of said land situated in the town of Nantucket held for open space purposes (see House, No. 4818) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 491 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Report of a Committee.

The committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2608; and by striking out the title and inserting in place thereof the following title:

Foxborough,—
land.

Bill enacted
(land taking),—
yea and nay
No. 489.

Southborough,—
land.

Bill enacted
(land taking),—
yea and nay
No. 490.

Nantucket,—
land.

Bill enacted
(land taking),—
yea and nay
No. 491.

Clean
energy.

“An Act to promote a clean energy future”) of the House Bill to increase renewable energy and reduce high-cost peak hours (House, No. 4756), reports recommending passage of the accompanying Bill to advance clean energy (House, No. 4857).

Under suspension of the rule 7A, on motion of Mr. Golden of Lowell, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 150 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 492 in Supplement.]

Therefore the report of the committee of conference was accepted.
Sent to the Senate for concurrence.

Conference committee report accepted,—
yea and nay
No. 492.

Engrossed Bills — Land Taking.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to release a portion of a certain parcel of land in the town of Berkley from an agricultural preservation restriction (see Senate, No. 2395) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 493 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Berkley,—
land.

Bill enacted
(land taking),—
yea and nay
No. 493

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance and the town of Hingham to grant certain easements upon certain land located in the town of Hingham (see Senate, No. 2582, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 494 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Hingham,—
land.

Bill enacted
(land taking),—
yea and nay
No. 494.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to modify and relocate an easement in the town of West Boylston (see Senate, No. 2559) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the

West
Boylston,—
land.

Bill enacted
(land taking),—
yea and nay
No. 495.

Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 495 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth (see Senate, No. 2603) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 496 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Joseph Mele, an employee of the Department of Mental Health (see House, No. 4715, 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.

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 11 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 sent to the Senate.

The engrossed Bill relative to the transitional aid to families with dependent children program (see House, No. 4823), 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.

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 14 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) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and Senate to the Senate.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc. (see House, No. 4265), having been certified by the Clerk to be rightly and truly prepared for final passage, was

NSTAR,—
land.

Bill enacted
(land taking),—
yea and nay
No. 496.

Joseph
Mele,—
sick leave.

Bill
enacted.

Transitional
aid to families,—
family cap.

Bill
re-enacted.

Lynn,—
land.

considered, the question being on adopting the emergency preamble.

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 13 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 497 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 497.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to grant of certain easements to the town of Plymouth (see House, No. 4813), 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.

Plymouth,—
land.

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 12 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 498 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 498.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to dispose of a certain parcel of land in the town of Chelmsford (see House, No. 4814), 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.

Chelmsford,—
land.

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 15 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 499 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting

Bill enacted
(land taking),—
yea and nay
No. 499.

Speaker and sent to the Senate.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the city known as the town of Franklin (see House, No. 4837, 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.

Franklin,—
land.

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 15 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 500.

[See Yea and Nay No. 500 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Department of Fish and Game to acquire a conservation restriction on certain parcels of land of the town of Groveland (see Senate, No. 2319), 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.

Groveland,—
land.

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 39 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 501.

[See Yea and Nay No. 501 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills

Providing firefighters and police officers with the opportunity to enter a cessation program prior to termination (see Senate, No. 1386);

Bills
enacted.

Authorizing the city of Westfield to accept certain ways as public ways (see Senate, No. 2241);

(Which severally originated in the Senate); and

To ensure compliance with federal standards regarding the handling of federal tax information (see House, No. 4812) (which originated in the House);

UNCORRECTED PROOF.

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.

The engrossed Bill relative to the background record check procedures of the department of early education and care (see House, No. 4815) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Pending the question on passing the bill to be enacted, Mr. Speliotis of Danvers moved that Rule 40 be suspended; and the motion prevailed. The same member then moved to amend the bill by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect forthwith children, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.”.

The amendment was adopted. Sent to the Senate for concurrence.

Recess.

At eight minutes after three o'clock P.M. (Tuesday, July 31, 2018), on motion of Mrs. Haddad of Somerset (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at four minutes before five o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

*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 authorizing the town of Rehoboth to transfer a conservation easement on a certain parcel of land [see House, No. 1102] (for message, see House, No. 4864), was filed this day in the office of the Clerk.

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 Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Subsequently, under suspension of the rules, on motion of the same member (Mr. Donato of Medford being in the Chair), the committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment then was adopted. Sent to the Senate for its action.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to an easement plan for the Milton Inline Inspection Project (Senate, No. 2369), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4862. Referred, under Rule 7A, to the committee on Steering, Policy and

Early education,—
background checks.

Rule 40 suspended.

Recess.

Rehoboth,—
land.

Milton,—
land.

Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2369, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Sánchez of Boston (Mr. Donato of Medford being in the Chair), the bill (having been 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.

Sent to the Senate for concurrence in the amendment adopted by the House [for text of House amendment, see House document numbered 4862].

Mrs. Haddad of Somerset being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to Massachusetts policy and procedures for missing and abducted children (House, No. 3615), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4863). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Abducted children,—
procedures.

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

Under suspension of Rule 7A, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Sánchez of Boston (Mr. Donato of Medford being in the Chair), the bill (having been 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. Sent to the Senate for concurrence.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to transfer the care, custody and control of a certain parcel of land from the conversation commission to the department of parks and recreation for playground purposes in the city of Boston (Senate, No. 2540), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Boston,—
land.

Mr. Murphy of Weymouth, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member (Mr. Donato of Medford being in the Chair), the bill (having been 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, its title having been changed by said committee to read: “An Act authorizing the city of Boston to transfer the care, custody and control of a certain parcel of land from the conversation commission to the department of parks and recreation for playground purposes.”. Sent to the Senate for concurrence.

Mrs. Haddad of Somerset being in the Chair,—

UNCORRECTED PROOF.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the financial condition of the Pioneer Valley Regional School District (House, No. 4746), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Pioneer Valley
Regional School
District.

Mr. Murphy of Weymouth, for said committee, reported that the matter be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on further motion of the same member (Mr. Donato of Medford being in the Chair), the bill (having been 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. Sent to the Senate for concurrence.

Engrossed Bills — Land Takings.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank, Nantucket Conservation Foundation, Inc, or Sconset Trust, Inc. for the same purposes (see House, No. 4688) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Nantucket,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 502.

[See Yea and Nay No. 502 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the release of certain land in Rowley from operation of an agricultural covenant (see House, No. 4853) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rowley,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 503.

[See Yea and Nay No. 503 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill providing for the abandonment of a certain water line easement in Revere and Malden (see Senate, No. 2576, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for

Revere
and Malden.

final passage, was considered, the question being on adopting the emergency preamble.

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 56 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 504 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 504.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to grant a permanent surface and subsurface easement at the Chestnut Hill Reservation in the Brighton section of the city of Boston (see House, No. 4803), 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.

Boston,—
land.

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 14 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 505 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 505.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the commissioner of Agricultural Resources to release an agricultural covenant on a certain portion of land in the town of Lancaster (see House, No. 4854), 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.

Lancaster,—
land.

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 14 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the

Bill enacted
(land taking),—
yea and nay

Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 506 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

No. 506.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill relative to a certain agricultural restriction held by the Commonwealth on land in the town of Westborough (see House, No. 4855), 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.

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 14 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 507 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Westborough,—
land.

Bill enacted
(land taking),—
yea and nay
No. 507.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Somerville to the Somerville Housing Authority (see House, No. 4856), 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.

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 70 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 508 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Somerville,—
land.

Bill enacted
(land taking),—
yea and nay
No. 508.

Engrossed Bill.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill to advance clean energy (see House, No. 4857) (which originated in the House), having been certified by the Clerk to be rightly and truly

Bill
enacted.

prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to the examination of tax expenditures by the Department of Revenue (see House, No. 4820), being a printed copy of Section 12 contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment B of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Tax expenditures.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor was rejected.
Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to the payment of pensioners for services after retirement (see House, No. 4821), being a printed copy of Section 29 contained in the engrossed Bill making appropriations for the fiscal year 2019 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Pensioners,—
payment.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor was adopted.
Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to the cremation of certain unclaimed bodies (see House, No. 4822), being a printed copy of Section 38 contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment D of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Unclaimed bodies.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor was adopted.
Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill extending the authorization for the use of certain discount vouchers for prescription drugs (see House, No. 4825), being a printed copy of Section 63 contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment G of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Prescription
drugs,—
vouchers.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor was adopted.

Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to commuter rail fare rates (see House, No. 4828), being a printed copy of Section 87 contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment J of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Commuter
rail,—
rates.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor was adopted.

Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to the Massachusetts Department of Transportation congestion toll rate pricing pilot program (see House, No. 4831), being a printed copy of Section 104 contained in the engrossed Bill making appropriations for the fiscal year 2019 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment M of House, No. 4833), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Tolls,—
congestion
pricing.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor was rejected.

Sent to the Senate for its action.

Recess.

At seven minutes before six o'clock P.M. (Tuesday, July 31, 2018), the Chair (Mrs. Haddad of Somerset) declared a recess subject to the call of the Chair.; and at two minutes after seven o'clock, the House was called to order with Mr. Donato in the Chair.

Recess.

Paper from the Senate.

The House Bill for prevention and access to appropriate care and treatment of addiction (House, No. 4742), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2623.

Addiction,—
treatment.

Under suspension of the rules, on motion of Ms. Garlick of Needham, the amendment was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 4866. 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.

Emergency Measures.

The engrossed Bill relative to the background record check procedures of the department of early education and care (see House, No. 4815, 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.

Early
education,—
background
checks.

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 35 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 Speaker and sent to the Senate.

Bill
enacted.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to gender identity on Massachusetts identification (Senate, No. 2562), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Identification,—
gender
identity.

Engrossed Bills.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to release a restriction on a certain parcel of land in the city of Taunton (see House bill printed in House, No. 3712) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to

Taunton,—
land.

the Senate.

The engrossed Bill relative to the creation of the Commonwealth Technical Rescue Regions and Coordinating Council (see Senate, No. 2614, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Wilbraham to exchange a certain parcel of land held for conservation purposes (Senate, No. 2583, changed and amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Wilbraham,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 509.

[See Yea and Nay No. 509 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lowell (see House, No. 4838), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Lowell,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 510.

[See Yea and Nay No. 510 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the city of Boston to transfer the care, custody and control of a certain parcel of land from the conversation commission to the department of parks and recreation for playground purposes (Senate, No. 2540) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Boston,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 511.

[See Yea and Nay No. 511 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Suspension of Rule 1A.

The Chair (Mr. Donato of Medford) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 124 members voted in the affirmative and 26 in the negative.

[See Ye and Nay No. 512 in Supplement.]

Therefore Rule 1A was suspended.

Rule 1A.

Rule 1A
suspended,—
yea and nay
No. 512.

Papers from the Senate.

Mr. Petrolati of Ludlow being in the Chair,—

The Senate Bill relative to an easement plan for the Milton Inline Inspection Project (Senate, No. 2369, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4862), with a further amendment in section 1, in line 1, inserting after the figure “34” the following: “to 37”.

The Senate 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.

Milton,—
land.

The engrossed Bill authorizing the town of Nantucket to transfer, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for water supply and water protection purposes to the town of Nantucket for roadway purposes (House, No. 4689), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following two sections:

“SECTION 2. As a condition for the conveyance authorized in section 1, the town of Nantucket shall dedicate and hold for open space, recreational or conservation purposes a certain town-owned parcel bounded southerly by Milestone road; westerly by parcel 119 on assessor’s map 54; northerly by Polpis road; and easterly by parcel 93 on assessor’s map 54, containing approximately 1.36 acres.

SECTION 3. This act shall take effect upon its passage.”

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.

Nantucket,—
land.

The House Bill relative to economic development in the Commonwealth (House, No. 4732), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2625, amended.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the amendment was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text

Economic
development.

contained in House document numbered 4868. 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.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to [sic] Article 97 Land Conveyance in the town of Petersham (House, No. 4753), ought to pass with an amendment substituting therefor a Bill authorizing the commissioner of Capital Asset Management and Maintenance to release a restriction in the town of Petersham (House, No. 4867). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petersham,—
land.

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

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Whipps of Athol, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill releasing certain land in Northfield from the operation of an agricultural covenant (House, No. 4757), ought to pass. Referred under Rule 7A, to the committee on Steering, Policy and Scheduling.

Northfield,—
land.

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

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

Subsequently, under suspension of the rules, on motion of Mr. Mark of Peru, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 2, by striking out the following: “section 2 of chapter 184” and inserting in place thereof the following: “section 22 of chapter 20”.

The amendment was adopted; and the bill (House, No. 4757, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measures.

The engrossed Bill relative to the payment of pensioners for services after retirement (see House, No. 4821), 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.

Pensioners,—
payment.

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

UNCORRECTED PROOF.

preamble was adopted, by a vote of 88 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) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and Senate to the Senate.

Bill
re-enacted.

The engrossed Bill relative to the cremation of certain unclaimed bodies (see House, No. 4822, 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.

Unclaimed
bodies.

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 70 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) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and Senate to the Senate.

Bill
re-enacted.

The engrossed Bill relative to commuter rail fare rates (see House, No. 4828, 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.

Commuter
rail,—
rates.

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 103 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) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and Senate to the Senate.

Bill
re-enacted.

The engrossed Bill relative to the Massachusetts Department of Transportation congestion toll rate pricing pilot program (see House, No. 4831), 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.

Tolls,—
congestion
pricing.

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 103 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) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and Senate to the Senate.

Bill
re-enacted.

The engrossed Bill relative to simulcasting and racing (see House, No. 4809) 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.

Simulcasting
and racing.

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 75 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

Mr. Petrolati of Ludlow being in the Chair,—

The engrossed Bill authorizing the Somerville Housing Authority to reconstruct the state-funded Clarendon Hill public housing project (see House, No. 4580, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Rehoboth to transfer a conservation easement on a certain parcel of land (see House, No. 1102, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rehoboth,—
land.

On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill re-enacted
(land taking),—
yea and nay
No. 512.

[See Yea and Nay No. 513 in Supplement.]

Therefore the bill was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill for prevention and access to appropriate care and treatment of addiction (see House, No. 4742, 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.

Addiction,—
treatment.

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 67 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 put upon its final passage.

After debate on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Ms. Garlick of Needham; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill
enacted,—
yea and nay
No. 514.

[See Yea and Nay No. 514 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain easements over certain land taken for water supply purposes in the city of Medford (see House, No. 4373, changed and 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

Medford,—
land.

preamble.

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 68 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 515 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 515.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Nantucket to convey a portion of a certain parcel of land in the town of Nantucket and held for water supply purposes to the town of Nantucket to be used for roadway purposes (see House, No. 4689, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 516 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Nantucket,—
land.

Bill enacted
(land taking),—
yea and nay
No. 516.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4565, amended) to the Senate Bill to protect animal welfare and safety in cities and towns (Senate, No. 2347), recommending passage of a bill with the same title (Senate, No. 2646), came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report (having been reported by the committees on Bills in the Third Reading of the two branches to be correctly drawn) was considered forthwith.

On the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 517 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Animal
welfare.

Conference
committee
report
accepted,—
yea and nay
No. 517.

Emergency Measures.

The engrossed Bill relative to economic development in the Commonwealth (see House, No. 4732, 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.

Economic development.

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 50 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted (state loan),—yea and nay No. 518.

[See Yea and Nay No. 518 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to release a restriction in the town of Petersham (see House, No. 4867), 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.

Petersham,—land.

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 52 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—yea and nay No. 519.

[See Yea and Nay No. 519 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill — Land Taking.

The engrossed Bill releasing certain land in Northfield from the operation of an agricultural covenant (see House, No. 4757, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northfield,—land.

Pending the question on passing the bill to be enacted, Mr. Mark of Peru moved that Rule 40 be suspended; and the motion prevailed. The same member then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“Section 1. Notwithstanding any general or special law to the contrary, under section 22 of chapter 20 of the General Laws, the commissioner of agricultural

resources shall execute a release of the agricultural covenant held by the commonwealth, acting on its behalf, on certain land in the town of Northfield owned currently by Hopping Ahead LLC, ('Landowner'). Title was acquired by a covenant recorded in Book 6863, Page 183, at the Greenfield Registry of Deeds.

Section 2. As a condition precedent to the release authorized in section 1, the current landowner shall pay to the department of agricultural resources a monetary amount as determined by the commissioner, provided such sum shall not exceed the funds the landowner originally received as consideration for said covenant. Monies received by the commonwealth for said release under this section, shall be held in trust by the department, to be expended only for acquiring new agricultural covenants.”.

The amendment was adopted. Sent to the Senate for concurrence.

The engrossed Bill relative to an easement plan for the Milton Inline Inspection Project (see Senate, No. 2369, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Milton,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 520.

[See Yea and Nay No. 520 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Mr. Donato of Medford being in the Chair,—

The engrossed Bill releasing certain land in Northfield from the operation of an agricultural covenant (see House, No. 4757, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northfield,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 521.

[See Yea and Nay No. 521 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Motion to Discharge a Certain Matter in the Orders of the Day.

Mr. Petrolati of Ludlow being in the Chair,—

The House Bill designating domestic workers’ rights day (House, No. 4736), having been reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time forthwith, under suspension of the rules, on motion of Mr. Speliotis of Danvers; and it was passed to be engrossed.

Domestic
workers’
rights day.

Order.

UNCORRECTED PROOF.

Mr. Donato of Medford being in the Chair,—

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twelve minutes after one o'clock A.M. (Wednesday, August 1, 2018) (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 2, 2018.

[86]

JOURNAL OF THE HOUSE.

Thursday, August 2, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Warmth and Light, we pray today for the women and men who serve our Commonwealth in this chamber. We give thanks for the long hours they and their staff have labored in recent days and nights. We pray for all to keep cool heads amidst rising temperatures today. We pray also for our many residents who are struggling to escape the hot and humid conditions today.

Prayer.

We remember that it was on this day in 1975 the hottest temperature ever recorded in Massachusetts occurred in the northwest corner of Hampden County in the town of Chester; 107 degrees Fahrenheit.

If any need to think cooler thoughts today, know that Chester also holds the distinction of recording the lowest temperature in the Commonwealth (-35 F). It is one of three towns in the United States that has recorded both highest and lowest extreme temperatures in its state.

We pray for First Franklin District Representative Stephen Kulik and his staff.
May God continue to bless our Commonwealth.

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 Amendments.

A message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill regulating and insuring short-term rentals [see House, No. 4841] (for message, see House, No. 4869), was filed in the office of the Clerk on Wednesday, August 1.

Short term rentals.

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 amendments recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Statement of Representative Mariano of Quincy.

A written statement received from Mr. Mariano of Quincy, regarding the session of Wednesday, July 27, 2018, was spread upon the records of the House, as

follows:

Dear Mr. Clerk,

Please allow me the opportunity to declare for the record how I would have voted during my absence from the formal session on Wednesday, June 27, 2018.

I was unable to attend session due to a family obligation, but wish to publicly and unequivocally express my support for H.4664, “An Act relative to abusive practices to change sexual orientation and gender identity in minors;” H. 4665, “An Act ensuring high quality early education;” and H.4667, “An Act automatically registering eligible voters and enhancing safeguards against fraud.”

No. 383 – N

No. 384 – Y

No. 385 – Y

No. 386 – N

No. 387 – Y

Thank you for your attention to this request.

Statement of
Representative
Mariano
of Quincy.

Papers from the Senate.

The engrossed Bill relative to the examination of tax expenditures by the Department of Revenue (see House, No. 4820), came from the Senate with the endorsement that it had been amended by said branch by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Chapter 14 of the General Laws is hereby amended by adding the following section:—

Section 14. (a) The department of revenue, hereinafter referred to as the department, shall examine, evaluate and report on the administration, effectiveness and fiscal impact of tax expenditures as defined in section 1 of chapter 29 and as presented with the governor’s proposed budget under paragraph 3 of section 5B of said chapter 29. The report shall consider the public policy objectives behind the grant of any tax expenditure and the metrics of measuring success in meeting those objectives.

(b) The department shall use best practices and standardized criteria to evaluate: (i) the purpose, intent and goal of each tax expenditure and whether the expenditure is an effective means of accomplishing those ends; (ii) the fiscal impact of each tax expenditure on state and local taxing authorities, including past fiscal impacts and expected future fiscal impacts; (iii) the economic impact of each tax expenditure including, but not limited to, revenue loss compared to economic gain and jobs created, retained or lost as a result of the tax expenditure; (iv) the return on the investment made by the tax expenditure and the extent to which the tax expenditure is a cost effective use of resources; and (v) similar tax expenditures, if any, offered by other states and the impact of the tax expenditure on regional and national economic competitiveness.

(c) The department shall establish a schedule to review tax expenditures so that each tax expenditure shall be reviewed at least once every 5 years. The review schedule may group tax expenditures by those benefitting from the tax expenditures, the objectives of the tax expenditures or the policy rationale for the tax expenditures. The department’s review of each tax expenditure shall include the date the tax expenditure was enacted and the statutory or legal citation.

(d) Annually, not later than March 1, the department shall file a report of its findings and its recommendations to the clerks of the house of representatives and

Tax
expenditure
commission.

senate, the chairs of the house and senate committees on ways and means and the chairs of the joint committee on revenue. The report shall include all information required to be reviewed by this section and recommendations. The report shall be made available electronically and prominently displayed on the official website of the department.

SECTION 2. This act shall take effect as of July 1, 2018.”; and inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith the examination of tax expenditures by the department of revenue, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”. The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Subsequently the amendments (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were considered; and they were adopted, in concurrence.

The engrossed Bill relative to grants from the Massachusetts Tourism Trust Fund (see House, No. 4827), came from the Senate with the endorsement that it had concurred with the House in adoption of the amendment recommended by the Governor (in the form approved by the House committee on Bills in the Third Reading), with a further amendment inserting after section 1 the following section:

Tourism fund.

“SECTION 1A. Section 2 of chapter 154 of the acts of 2018 is hereby amended by striking out item 0640-0010 and inserting in place thereof the following item:—

0640-0010 For the promotional activities associated with the state lottery program; provided, that the lottery commission shall issue a report not later than June 30, 2019 to the house and senate committees on ways and means detailing additional revenues generated as related to promotional activities funded from this item; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery and Gaming Fund, established in section 35 of chapter 10 of the General Laws, to the General Fund.....\$4,500,000”.

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

Subsequently the amendment further (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was considered; and it was adopted, in concurrence.

The House Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 4664), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, by said branch with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2647. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Minors,— sexual orientation.

The House Bill requiring sexual misconduct climate surveys at institutions of higher education (House, No. 4810, amended), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, by said branch with an amendment striking out all after the enacting clause and inserting in place

Higher education,— sexual misconduct.

thereof the text contained in Senate document numbered 2645. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Protecting consumers in the issuance of sports and entertainment tickets (Senate, No. 115, amended by adding the following four sections:

Tickets,—
resale.

“SECTION 2. Section 185A of chapter 140 of the General Laws, as appearing in 2016 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:—

‘Ticket reseller shall mean any person, entity, corporation or association engaged in the business of reselling, offering for resale, or negotiating the resale of tickets of admission or other evidence of right of entry to any sporting event, theatrical exhibition, public show, or public amusement or exhibition, including the officers, agents and employees of such person, entity, corporation or association. A person, entity, corporation, or association shall be deemed to be “engaged in the business of resale” if such person, entity, corporation, or association has sold more than 80 tickets, sets of tickets, or right of entry by means of telephone, mail, delivery service, facsimile, internet, email or other electronic means in the preceding twelve months. A resale shall not include the initial sale of any event ticket by the original ticket seller or an online marketplace.’ [sic]

SECTION 3. Said section 185A of chapter 140 of the General Laws, as so appearing, is hereby amended by deleting the second paragraph of this section.

SECTION 4. Chapter 140 of the General Laws, as so appearing, is hereby amended by striking out section 185D, as so appearing, and inserting in place thereof the following section:—

Section 185D. Consumer protection standards relative to the reselling of tickets:

(a) Any person engaged in the business of the resale of a ticket, and any online marketplace shall:

(1) maintain at all times a toll-free telephone number and an e-mail address or other means of contact approved by regulation for complaints and inquiries regarding its activities in the resale of event tickets;

(2) implement and reasonably publicize a standard refund policy that meets the minimum standards stated in subsection (b); and

(3) take reasonable measures to safeguard against the resale of counterfeit tickets purchased from the reseller.

(b) The standard refund policy by such person or online marketplace:

(1) shall provide a consumer who purchases an event ticket a full refund if: (i) the event is cancelled before the scheduled occurrence of the event, and is not re-scheduled; (ii) the event ticket does not provide access to the event or venue of the event, provided the date and time of the event are correct on the event ticket; (iii) the event ticket has been cancelled by the ticket issuer for non-payment by the original purchaser, or for any reason other than an act or omission of the consumer; (iv) the event ticket materially and to the detriment of the consumer fails to conform to the description provided by the seller or person engaged in the business of resale; or (v) the event ticket was not delivered to the consumer prior to the occurrence of the event, unless such failure of delivery was due to any act or omission of the consumer;

(2) shall include in a full refund the full price paid by the consumer for the event ticket, together with any fees charged in connection with that purchase, including but not limited to convenience fees, processing fees, at-home printing

charges, but excluding shipping or delivery fees, and

(3) may condition entitlement to a refund upon timely return of the ticket purchased, and may include reasonable safeguards against abuse of the policy.

(c) Provision of a replacement ticket that is of equal value and in a comparable location, at no additional charge to the consumer, shall be considered providing a full refund for the purposes of subsection (b).

(d) Nothing in this section shall be construed to prohibit any person, entity or association, or an agent of any such person, entity or association subject to this section from implementing consumer protection policies that exceed the minimum standard set forth in this section, and that are otherwise compliant with this act.

(e) A ticket reseller or online marketplace shall be prohibited from using any automated system, software or other technology designed or produced for the purpose of purchasing tickets from a ticket issuer for the purpose of resale on the secondary market.

(f) The department of public safety shall keep a record of all licensed ticket resellers operating in the commonwealth and shall make the list accessible to the public. This record shall include, but not be limited to: (1) the licensee's name, mailing address, telephone number and email address; (2) the length of time the licensee has been licensed in commonwealth; and (3) the number of complaints and the type of complaint that has been filed against the licensee.

SECTION 5. Section 185E of chapter 140 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by deleting the last sentence of this section.”) (on a petition);

Modernizing childhood lead poisoning prevention (Senate, No. 2642) (on Senate bill No. 1184);

Requiring protection for the continuous skilled care of fragile children in the Commonwealth (Senate, No. 2643) (on Senate bill No. 1273); and

Relative to collective bargaining dues (Senate, No. 2644) (on Senate bill No. 1047);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Lead poisoning.
Children,— skilled care.
Collective bargaining.

Reports of Committees.

Report of the committee on Health Care Financing, that the Bill relative to out-of-hospital birth access and safety (House, No. 4655), ought NOT to pass (under Joint Rule 10).

Births,— out-of-hospital.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the report was considered forthwith, the question being: “Shall this bill be rejected?”

The House then refused to reject the bill; and it was read a second time.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Health Care Financing, on motion of the same member.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill authorizing the Massachusetts Water Resources Authority to supply water to the town of Burlington (House, No. 4801, changed in the emergency preamble, by striking out the words “North Reading” and inserting in place thereof the word “Burlington”) [Local Approval Received].

Burlington,— water supply.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Diane Misiano, an employee of the

Diane Misiano,— sick leave.

Department of Revenue (House, No. 4845).

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

Emergency Measure.

The engrossed Bill relative to the examination of tax expenditures by the Department of Revenue (see House, No. 4820, 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.

Tax expenditure
commission.

Pending the question on adoption of the emergency preamble, Mr. Speliotis of Danvers moved that Rule 40 be suspended; and the motion prevailed.

Rule 40
suspended.

The same member then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Chapter 14 of the General Laws is hereby amended by adding the following section:—

Section 14. (a) There shall be a tax expenditure commission that shall examine, evaluate and report on the administration, effectiveness and fiscal impact of tax expenditures, as defined in section 1 of chapter 29, and as presented with the governor's proposed budget under paragraph 3 of section 5B of said chapter 29.

(b) The commission shall be comprised of: the commissioner of revenue or the commissioner's designee, who shall serve as chair; the state auditor or the auditor's designee; the state treasurer or the state treasurer's designee; the chair of the house committee on ways and means or the chair's designee; the chair of the senate committee on ways and means or the chair's designee; the house and senate chairs of the joint committee on revenue or their respective designees; the minority leader of the house of representatives or the house minority leader's designee; the minority leader of the senate or the senate minority leader's designee; and 3 members to be appointed by the governor, who shall have expertise in economics or tax policy. The 3 members appointed by the governor shall each serve 4-year terms.

(c) The commission shall use best practices and standardized criteria to evaluate: (i) the purpose, intent and goal of each tax expenditure and whether the expenditure is an effective means of accomplishing those ends; (ii) the fiscal impact of each tax expenditure on state and local taxing authorities, including past fiscal impacts and expected future fiscal impacts; (iii) the economic impact of each tax expenditure including, but not limited to, revenue loss compared to economic gain and jobs created, retained or lost as a result of the tax expenditure; (iv) the return on the investment made by the tax expenditure and the extent to which the tax expenditure is a cost effective use of resources; and (v) similar tax expenditures, if any, offered by other states and the impact of the tax expenditure on regional and national economic competitiveness.

(d) The commission shall establish a schedule to review tax expenditures so that each tax expenditure shall be reviewed at least once every 5 years. The review schedule may group tax expenditures by those benefitting from the tax expenditures, the objectives of the tax expenditures or the policy rationale for the tax expenditures. The commission's review of each tax expenditure shall include the date the tax expenditure was enacted and the statutory or legal citation.

(e) Biennially, not later than March 1, the commission shall file a report of its findings and its recommendations to the clerks of the house of representatives and senate, the chairs of the house and senate committees on ways and means and the

chairs of the joint committee on revenue. The report shall include all information required to be reviewed by this section and recommendations. The report shall be made available electronically and prominently displayed on the official website of the department of revenue.

f) The commission shall have access to information, including aggregate tax return information and related documents maintained by the department of revenue, necessary for the performance of the commission's duties under this section but excluding information provided to the commonwealth by other federal and state tax agencies where such access is prohibited by law; provided, however, that tax returns and related documents shall not include a taxpayer's personal identifying information and such returns and documents shall be confidential and exempt from disclosure as a public record under section 7 of chapter 4 and under chapter 66. The commission, in collaboration with the department of revenue, shall adopt policies and procedures to ensure taxpayer confidentiality.

SECTION 2. This act shall take effect as of July 1, 2018."

The amendment was adopted; and the bill (see House, No. 4820, amended) was sent to the Senate for concurrence.

Subsequently, the Senate having concurred in the amendment, the engrossed bill, 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.

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) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared 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.

The engrossed Bill relative to simulcasting and racing (see House, No. 4809) (which originated in the House), 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 protect animal welfare and safety in cities and towns (see Senate, No. 2646) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The House Bill establishing a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services (House, No. 4734), 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. Sent to the Senate for concurrence.

Third
reading
bill.

Recess.

At three minutes before one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-five minutes before two o'clock, the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill relative to grants from the Massachusetts Tourism Trust Fund (see House, No. 4827, 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.

Tourism fund.

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 2 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) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At eight minutes before two o'clock P.M., on motion of Mr. Hill of Ipswich (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, AUGUST 6, 2018.

[87]

JOURNAL OF THE HOUSE.

Monday, August 6, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers of Boston, Chaplain of the House, as follows:

We give thanks to You God for the seasonal heat and humidity and we pray that it does not last too long. We pray for all those who may be in danger of heat exhaustion and other health risks.

Prayer.

We pray for our women and men who work to bring us just and fair legislation. We also remember and give thanks for the many support staff throughout this body of government.

Tomorrow marks the 57th anniversary of the creation of the Cape Cod National Seashore. It marked the first time the federal government had created a national park from land that had been owned primarily by private entities. Today there are more than 43,000 acres of that beautiful national park.

We who work and live in the urban setting and struggle with today's humidity pray that those who can enjoy that park today truly appreciate the blessing it is.

May God continue to bless our Commonwealth.

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 Amendments.

A message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill relative to consumer protection from security breaches [see House, No. 4806] (for message, see House, No. 4873), was filed in the office of the Clerk on Friday, August 3.

Consumer,—
security
breaches.

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 amendments recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Messages from the Governor — Vetoes.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the payment of pensioners for services after retirement [see House, No. 4821] (for message, see House, No. 4870), was filed in the office of the Clerk on Friday, August 3.

Pensioners,—
payment.

UNCORRECTED PROOF.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the Massachusetts Department of Transportation congestion toll rate pricing pilot program [see House, No. 4831] (for message, see House, No. 4871), was filed in the office of the Clerk on Friday, August 3.

Toll rates,—
congestion
pricing.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the transitional aid to families with dependent children program [see House, No. 4823] (for message, see House, No. 4872), was filed in the office of the Clerk on Friday, August 3.

Transitional
aid to families,—
family cap .

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

Resolutions.

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

Resolutions (filed by Representatives Haddad of Somerset and Howitt of Seekonk) congratulating Samuel R. DuBois on receiving the Eagle Award of the Boy Scouts of America;

Samuel
DuBois.

Resolutions (filed by Mrs. Campbell of Methuen) honoring the twenty-fifth annual Methuen Festival of Trees;

Methuen,—
Festival of Trees.

Resolutions (filed by Mr. Linsky of Natick) celebrating dedication of the Sticka Square in the town of Natick;

Natick,—
Sticka square.

Resolutions (filed by Messrs. Smola of Warren and Berthiaume of Spencer) commemorating the two hundredth birthday of women's rights and abolition advocate, Lucy Stone; and

Lucy
Stone.

Resolutions (filed by Mr. Velis of Westfield and other members of the House) recognizing August 7, 2018 as Purple Heart Day in the Commonwealth;

Purple
Heart Day.

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

Paper from the Senate.

A Bill relative to volunteer ambulance service (Senate, No. 2648) (on Senate bill No. 2446), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Volunteer
ambulance
service.

Report of a Committee.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Diane Misiano, an employee of the Department of Revenue (House, No. 4845), be scheduled for consideration by the House.

Diane Misiano,—
sick leave.

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

Orders of the Day.

The House Bill relative to the assessment of betterments for improvements to private ways in the town of Sandwich (House, No. 3711), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Sandwich,—
betterments.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1 by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the board of selectmen of the town of Sandwich not later than December 31 and the board of selectmen shall vote to accept the report.”; and

By striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Notwithstanding any general or special law to the contrary, the town of Sandwich may borrow for a term of up to 20 years for the purpose of improvements and repairs on private ways open to and used by the general public in anticipation of reimbursement from betterments assessed in connection with work on such private ways.”.

The amendments were adopted; and the bill (House, No. 3711, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4462) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Montague,—
liquor
license.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 4, by striking out the following: “Mills #2” and inserting in place thereof the words “River Child”.

The amendment was adopted; and the bill (House, No. 4462, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

UNCORRECTED PROOF.

At seventeen minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 9, 2018.

JOURNAL OF THE HOUSE.

Thursday, August 9, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Equity and Fairness, we pray for our elected officials in this legislature and for their staff. We give thanks for all the work they have accomplished thus far and we pray for their continued efforts as the various committees continue to meet.

Today marks the 1854 publication of *Walden*, the classic American literary piece by Concord resident Henry David Thoreau. Living for 2 years, 2 months and 2 days in the woods near Walden Pond on land owned by his friend and fellow Transcendentalist Ralph Waldo Emerson, Thoreau composed his observations about humanity and life in and apart from 19th century American society.

"I went to the woods because I wished to live deliberately, to front only the essential facts of life, and see if I could not learn what it had to teach, and not, when I came to die, discover that I had not lived."

May God continue to bless our Commonwealth.

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.

Resolutions.

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

Resolutions (filed by Mr. Madaro of Boston) commemorating the observance of August 18, 2018 as Eastie Pride Day;

Resolutions (filed by Mr. Pignatelli of Lenox) commemorating the Tanglewood Music Center and celebrating Leonard Bernstein's one hundredth birthday;

Resolutions (filed by Mr. Roy of Franklin) congratulating Kevin Michael Petriello on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Roy of Franklin) congratulating Daniel Francis Sheehan on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Roy of Franklin) congratulating Ryan Walsh on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Stanley of Waltham) congratulating Alex Campbell on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Stanley of Waltham) congratulating Jeffrey Mann on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Stanley of Waltham) congratulating Daniel St. Cyr on receiving the Eagle Award of the Boy Scouts of America;

Prayer.

Pledge of allegiance.

Eastie Pride Day.

Leonard Bernstein and Tanglewood.

Kevin Petriello.

Daniel Sheehan.

Ryan Walsh.

Alex Campbell.

Jeffrey Mann.

Daniel St. Cyr.

UNCORRECTED PROOF.

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 Ms. DuBois of Brockton, 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 Miss Garry of Dracut, a petition (accompanied by bill, House, No. 4876) of Colleen M. Garry (by vote of the town) that the town of Dracut be authorized to issue an additional license for the sale of beer and wine to be served on the premises; and

Dracut,—
liquor
license.

By Mrs. Harrington of Groton, a petition (accompanied by bill, House, No. 4875) of Sheila C. Harrington (by vote of the town) that the town of Ayer be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises; and

Ayer,—
liquor
license.

Severally to the committee on Consumer Protection and Professional Licensure.

Severally sent to the Senate for concurrence.

Mr. O'Day of West Boylston presented a petition (subject to Joint Rule 12) of James J. O'Day and others relative to the distribution of certain public funds used by National Grid; and the same was referred, under Rule 24, to the committee on Rules.

National
Grid,—
state funds.

Paper from the Senate.

A petition (accompanied by bill) of John F. Keenan and Mark J. Cusack for legislation to establish a sick leave bank for Chung Tam, an employee of the Massachusetts Department of Transportation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Chung
Tam,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2654) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

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

Exempting the position of police chief in the town of Lancaster from civil service law (House, No. 4704) [Local Approval Received];

Lancaster,—
police chief.

Relative to the disability retirement of public safety personnel in the city of Quincy (House, No. 4719) [Local Approval Received];

Quincy,—
retirement.

Authorizing the Massachusetts Water Resources Authority to supply water to the town of Burlington (House, No. 4801, changed) [Local Approval Received]; and

Burlington,—
water supply.

Authorizing the city of Newton to amend the income qualifications for a certain tax deferral program (House, No. 4849) [Local Approval Received];

Newton,—
tax deferral.

Under suspension of Rule 7A, in each instance, on motion of Ms. DuBois of

Brockton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, Nos. 45, 46, 48, 49, 50, 51, 52, 53, 54, 706, 708, 709, 710, 711, 712, 713, 714, 715, 717, 719, 720, 721, 722, 723, 724, 726, 727, 729, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 743, 744, 746, 747, 748, 749, 751, 757, 758, 759, 761, 762, 763, 764, 765, 766, 768, 769, 770, 771, 772, 773, 775, 776, 777, 778, 779, 780, 781, 782, 784, 786, 787, 788, 789, 790, 791, 792, 796, 797, 798, 799, 800, 801, 802, 803, 804, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 822, 823, 824, 825, 826, 827, 828, 829, 830, 833, 834, 836, 837, 838, 840, 841, 842, 844, 845, 846, 847, 848, 849, 850, 851, 852, 855, 856, 857, 858, 859, 861, 862, 864, 865, 866, 867, 868, 870, 871, 872, 876, 877, 878, 880, 881, 882, 887, 889, 890, 891, 892, 893, 894, 896, 897, 898, 899, 900, 901, 902, 903, 904, 906, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 934, 935, 936, 937, 938, 939, 942, 944, 945, 946, 947, 949, 950, 951, 952, 954, 955, 956, 957, 958, 959, 960, 961, 962, 964, 966, 968, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 981, 982, 983, 984, 985, 986, 987, 991, 992, 993, 994, 995, 996, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2262, 2264, 2265, 2266, 2267, 2268, 2270, 2271, 2272, 2273, 2275, 2276, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325, 2326, 2327, 2328, 2329, 2331, 2332, 2333, 2334, 2335, 2336, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2349, 2350, 2351, 2352, 2353, 2355, 2357, 2358, 2489, 2791, 3022, 3023, 3024, 3025, 3026, 3028, 3029, 3030, 3031, 3032, 3035, 3036, 3038, 3039, 3040, 3041, 3043, 3044, 3045, 3046, 3048, 3049, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3073, 3074, 3076, 3080, 3081, 3082, 3085, 3086, 3087, 3088, 3089, 3091, 3094, 3095, 3096, 3097, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3111, 3112, 3113, 3114, 3115, 3117, 3118, 3119, 3121, 3122, 3123, 3124, 3125, 3127, 3128, 3129, 3130, 3131, 3132, 3495, 3496, 3497, 3499, 3500, 3501, 3539, 3577, 3578, 3580, 3581, 3583, 3585, 3587, 3588, 3589, 3590, 3591, 3649, 3671, 3683, 3721, 3778, 3812, 3870, 3944, 3987 and 4118, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the judiciary (House, No. 4874). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Judiciary,—
study.

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.

Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4285) of Bud Williams relative to the inspection of certain piping during home inspections and home energy audits.

Home
inspections.

Under suspension of the rules, on motion of Mr. Williams of Springfield, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

UNCORRECTED PROOF.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4755) of Carmine L. Gentile and Jack Lewis that the town of Sudbury and the city of Framingham be authorized to expend funds for the purchase of land for the Bruce Freeman Rail Trail,— and recommending that the same be referred to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Bruce Freeman
Rail Trail.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Jodi Cipriano, an employee of the Department of Developmental Services (see House, No. 4554, 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.

Jodi
Cipriano,—
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 sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill relative to special police officers in the town of Burlington (see House, No. 4030, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill relative to the town meeting of the town of North Reading (House, No. 4687), 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. Sent to the Senate for concurrence.

Third
reading
bill.

The House Bill establishing a sick leave bank for Diane Misiano, an employee of the Department of Revenue (House, No. 4845), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Diane
Misiano,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 6 by striking out the words “department paid” and inserting in place thereof the words “extended illness”. The amendment was adopted; and the bill (House, No. 4845, amended) was passed to be engrossed. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, AUGUST 13, 2018.

[89]

JOURNAL OF THE HOUSE.

Monday, August 13, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Growth and Endurance, we give thanks for the women and men of our House of Representatives and their staff. We ask for Your guidance in any further deliberation they undertake this month.

Prayer.

We remember on this day the anniversary of the 1829 birth of Martha Nash-Lamb, an author and historian. Born in Plainfield, Martha Lamb moved to Chicago with her husband and there became involved in aiding the mentally ill at a time when most avoided the issue all together. She helped found two institutions for those living with mental illness.

In 1883, she purchased the Magazine of American History and became its editor.

May God continue to bless our Commonwealth.

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 — Disapproval and Recommendations of Amendments in the Environmental Bond Bill.

A message from His Excellency the Governor returning with his disapproval of section 6, and also with recommendations of amendments of certain sections contained in the engrossed Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity [see House, No. 4835] (for message, see House, No. 4884), filed in the office of the Clerk on Thursday, August 9, was read.

Environmental Bond Bill,— disapproval and amendments.

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

So much of the message as relates to the sections returned with recommendations of amendments were referred, as follows:

Section 22 — Printed as House, No. 4879;

Section 90 — Printed as House, No. 4880;

Section 92 — Printed as House, No. 4881;

Section 94 — Printed as House, No. 4882; and

Section 95 — Printed as House, No. 4883.

Severally, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Message from the Governor — Disapprovals and Recommendations of Amendments in the Economic Development Bill.

A message from His Excellency the Governor returning with his disapprovals of sections 20 and 62, and also with recommendations of amendments of certain sections contained in the engrossed Bill relative to economic development in the commonwealth [see House, No. 4732, amended] (for message, see House, No. 4889), filed in the office of the Clerk on Friday, August 10, was read.

Economic
Development
Bill,—
disapprovals
and amendments.

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 the sections returned with recommendations of amendments were referred, as follows:

Sections 15, 18 and 73 — Printed as House, No. 4885;

Section 57 — Printed as House, No. 4886;

Section 63 — Printed as House, No. 4887; and

Section 65 — Printed as House, No. 4888.

Severally, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Statement of Representative Kafka of Stoughton.

A written statement received, this day, from Mr. Kafka of Stoughton, regarding the sessions of Friday, July 27, Monday, July 30, and Tuesday, July 31, was spread upon the records of the House, as follows:

Dear Mr. Clerk:

I respectfully request that the following statement be entered into the House Journal for the formal sessions which took place on July 27, 30, & 31 of this year:

Statement of
Mr. Kafka of
Stoughton.

During the formal sessions of the House of Representatives which took place on July 27, 30, and 31, I was out of the country to attend the Bar Mitzvah of my grandson. Had I been present, I would have voted in the affirmative of each roll call that I missed, beginning with Roll Call #422 and ending with Roll Call #521, with the lone exception of Roll Call #480, on which I would have voted in the negative.

Thank you very much for your consideration in this matter.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Jacob Donald Cullison on receiving the Eagle Award of the Boy Scouts of America;

Jacob
Cullison.

Resolutions (filed by Ms. Garlick of Needham) congratulating Stephen Patrick DeMaio on receiving the Eagle Award of the Boy Scouts of America;

Stephen
DeMaio.

Resolutions (filed by Mr. Koczera of New Bedford) congratulating Bruce Morell on the occasion of his retirement;

Bruce
Morell.

Resolutions (filed by Mr. Pignatelli of Lenox) celebrating retirement of Rachel Fletcher from the position of Director of the River Walk; and

Rachel
Fletcher.

Resolutions (filed by Ms. Vincent of Revere) congratulating Brian Kelly on the occasion of his retirement from the Department of Conservation and Recreation;

Brian
Kelly.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance,

UNCORRECTED PROOF.

that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Walsh of Peabody, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the task force established (see Section 134 of Chapter 131 of the Acts of 2010) to conduct an assessment and develop a plan relative to separate and secure waiting areas in district and superior courthouses for victims and witnesses of crimes, submitting a special implementation progress report for the fiscal year 2018, was placed on file.

Secure waiting areas,— progress report.

Quarterly Report.

A report from the Office of the State Auditor (under Section 17 of Chapter 11 of the General Laws) submitting its quarterly report of the Bureau of Special Investigations from January 31 to March 31, 2018, was placed on file.

Bureau of Special Investigations.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Donahue of Worcester, a petition (subject to Joint Rule 12) of Daniel M. Donahue and Michael O. Moore for legislation to establish a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families.

Amy Burlingame,— sick leave.

By Messrs. Frost of Auburn and Durant of Spencer, a petition (subject to Joint Rule 12) of Paul K. Frost, Peter J. Durant and others relative to the siting of marijuana facilities.

Marijuana facilities.

By Messrs. Frost of Auburn and Durant of Spencer, a petition (subject to Joint Rule 12) of Paul K. Frost relative to the siting of marijuana facilities.

Id.

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

Reports of a Committee.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Stoneham to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4804) [Local Approval Received].

Stoneham,— liquor license.

By the same member, for the same committee, on House, No. 4779, a Bill authorizing the town of Hatfield to grant an additional off-premises license for the sale of all alcoholic beverages (House, No. 4878) [Local Approval Received].

Hatfield,— liquor license.

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

Engrossed Bills.

Engrossed bills

Authorizing the appointing authority of the town of Mansfield to appoint police cadets to the police department of the town (see House, No. 1327);

Bills enacted.

UNCORRECTED PROOF.

Authorizing the town of Hopkinton to establish a means-tested senior citizen property tax exemption (see House, No. 4389); and

Directing the city of Boston Police Department to waive the maximum age requirement for police officers for Hugh Trong Ngo (see House, No. 4608);

(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 House Bill amending the charter of the town of Stoneham to change the name of the board of selectmen (House, No. 4629), 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. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 16, 2018.

[90]

JOURNAL OF THE HOUSE.

Thursday, August 16, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Walsh of Peabody in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Fidelity and Source of Life, we pray for our Commonwealth and the members of our House. We pray for the welfare and safety of all who make Massachusetts their home.

Prayer.

We pray for the many colleges and universities that are starting a new fall term this week. Watch over the students and faculty. Provide a safe environment for them to work and study.

Among the 114 institutions of higher learning in Massachusetts, we lift up the Conway School of Landscape Design – the smallest among them. Founded in 1972 in the Franklin County town of Conway, the school is moving their campus this summer to Northampton. It offers a Master of Science degree in ecological design each year to its 20 or so graduates.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Walsh), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Messages from the Governor.

A message from His Excellency the Governor recommending legislation providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 4890), was filed in the office of the Clerk on Wednesday, August 15.

Environment and economic development bonds,— terms.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on the Bonding, Capital Expenditure and State Assets.

A message from His Excellency the Governor recommending legislation providing for the terms of certain bonds for transportation improvements to be issued by the Commonwealth (House, No. 4891), was filed in the office of the Clerk on Wednesday, August 15.

Federal highways bonds,— terms.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85,

to the committee on Rules:

Resolutions (filed by Ms. Garlick of Needham) congratulating Barbara Leighton on the occasion of her one hundredth birthday;

Barbara
Leighton.

Resolutions (filed by Ms. Garlick of Needham) congratulating police chief Robert Meaney on the occasion of his retirement;

Robert
Meaney.

Resolutions (filed by Ms. Garlick of Needham) congratulating Lucy Valente on the occasion of her one hundredth birthday; and

Lucy
Valente.

Resolutions (filed by Messrs. Vieira of Falmouth and Fernandes of Falmouth) commemorating the fiftieth anniversary of the College Light Opera Company, Inc. in the town of Falmouth;

Falmouth,—
College Light
Opera Company.

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

Order.

The following order (filed by Ms. Benson of Lunenburg) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Monday, September 17, 2018 within which time to make its final report on current House document numbered 4774.

State
Administration
and Regulatory
Oversight
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4895), ought to be adopted. Under suspension of the rules, on motion of Ms. Benson of Lunenburg, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

From the Department of Public Health (see item 4513-1020 of Section 2 of Chapter 47 of the Acts of 2017) submitting its report entitled “Early Intervention FY17 Respite Expenditures and Referrals Approved by Month”; and

Early
intervention.

From the Massachusetts Clean Energy Center (see Section 5 of Chapter 23J of the General Laws) stating that they were not able to complete work on the 2018 industry report and financial statement by the August 15 deadline, and that they intend to file said report by December 31, 2018 [copies of the communication were forwarded to the committees on Ways and Means, Economic Development and Emerging Technologies, and Telecommunications, Utilities and Energy];

Clean Energy
Center,—
industry
report.

Severally were placed on file.

Semi-Annual Report.

A report from the Insurance Fraud Bureau (see Section 1(k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) submitting a semi-annual report relative to referrals involving automobile insurance fraud, workers’ compensation fraud and other insurance fraud [copies of

Insurance
Fraud
Bureau.

UNCORRECTED PROOF.

said report were forwarded, as required under said law, to the committees on Financial Services, and Labor Workforce Development], was sent to the Senate for its information.

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. 4892) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) that the town of Arlington be authorized to place upon a town ballot a question relative to increasing the number of licenses for all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Arlington,—
liquor
licenses.

By Mrs. Harrington of Groton, a petition (accompanied by bill, House, No. 4893) of Sheila C. Harrington (by vote of the town) relative to the charter of the town of Groton. To the committee on Municipalities and Regional Government.

Groton,—
charter.

By Representative Garballey of Arlington and Senator Friedman, a joint petition (accompanied by bill, House, No. 4894) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) relative to real property tax deferrals in the town of Arlington. To the committee on Revenue.

Arlington,—
tax deferrals.

Severally sent to the Senate for concurrence.

Mr. Muratore of Plymouth presented a petition (subject to Joint Rule 12) of Mathew Muratore for legislation to establish a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health; and the same was referred, under Rule 24, to the committee on Rules.

Julie
Jennings,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (subject to Joint Rule 12) of Dylan Fernandes and Julian Cyr relative to authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc.

Martha's
Vineyard,—
land.

By Mr. Mark of Peru, a petition (subject to Joint Rule 12) of Paul W. Mark relative to designating a certain bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge.

Dalton,—
Daehling
bridge.

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

Paper from the Senate.

A petition of Marc R. Pacheco and Keiko M. Orrall for legislation to establish a sick leave bank for Roberta Keeping, an employee of the Department of Transportation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Roberta
Keeping,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and

UNCORRECTED PROOF.

the petition (accompanied by bill, Senate, No. 2655) was referred, in concurrence, to the committee on Public Service.

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 petition of Daniel M. Donahue and Michael O. Moore for legislation to establish a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith. Joint Rule 12 then was suspended; and petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Amy
Burlingame,—
sick leave.

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

The Senate Bill honoring and recognizing the heroism of Rosa Parks (Senate, No. 2410); and

MBTA,—
Rosa Parks.

The House Bill authorizing the town of Williamsburg to continue the employment of fire department members Alan Everett and Robert Lapointe (House, No. 4703) [Local Approval Received];

Williamsburg,—
firefighters.

Under suspension of Rule 7A, in each instance, on motion of Mr. Scibak of South Hadley, 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 House, No. 4285, a Bill relative to the proper bonding and grounding of CSST (House, No. 4877). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Piping,—
inspection.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Bethany Powers, an employee of the Hampshire County Sheriff's Department (see House, No. 4403), 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.

Bethany
Powers,—
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 sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill to provide property tax exemptions for certain nonprofit senior housing in Boxford (Senate, No. 2286, amended), 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.

UNCORRECTED PROOF.

The House Bill authorizing the town of Andover to establish a means-tested senior citizen property tax exemption (House, No. 4661), 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. Sent to the Senate for concurrence.

Id.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At a half past eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Walsh of Peabody being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, AUGUST 20, 2018.

[91]

JOURNAL OF THE HOUSE.

Monday, August 20, 2018.

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.

Guest of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Jason Ferrara, of Danvers. At the invitation of the Chair, Jason participated in the pledge of allegiance to the flag. He was the guest of Representatives Donato and Peake of Provincetown.

Jason
Ferrara.

Reports

A report from the Office of the State Auditor (under Section 17 of Chapter 11 of the General Laws) submitting its quarterly report of the Bureau of Special Investigations from October 1, 2017 to December 31, 2017; and

Bureau of
Special
Investigations.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through July 2018;

Unemployment
Trust Fund.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Linsky of Natick, a petition (subject to Joint Rule 12) of David Paul Linsky and others relative to 3D printed weapons and ghost guns, so-called.

Guns.

By Mrs. Orrall of Lakeville, a petition (subject to Joint Rule 12) of Keiko M. Orrall and Marc R. Pacheco for legislation to establish a sick leave bank for Lori Convey, an employee of the Department of Correction.

Lori
Convey,—
sick leave.

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

Paper from the Senate.

A Bill relative to marijuana-related revenue in the town of Millbury (Senate, No. 2563) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Millbury,—
marijuana-
related
revenue.

Reports of Committees.

By Mr. Roy of Franklin, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill to support the transition to adult services for persons with disabilities (House, No. 1953, changed),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence, insomuch as relates to the discharge of the committee.

Disabled persons,— services.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Bill relative to the health insurance and other benefits in the town of East Brookfield (House, No. 4763), ought to pass [Local Approval Received] [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

East Brookfield,— health insurance.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill amending the membership of the Nantucket Planning and Economic Development Commission by removing the superintendent of the department of public works (House, No. 4819) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Nantucket,— Economic Development Commission.

Engrossed Bill.

The engrossed Bill to provide property tax exemptions for certain nonprofit senior housing in Boxford (see Senate, No. 2286, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Orders of the Day.

The Senate Bill authorizing the town of Wareham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2307), having been 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

Authorizing the town of Whately to continue the employment of John Hannum (House, No. 4547);

Third reading bills.

Authorizing the city of Beverly to issue an additional liquor license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4628) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (House, No. 4675);

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.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eight minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 23, 2018.

[92]

JOURNAL OF THE HOUSE.

Thursday, August 23, 2018.

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 Prayer.

At the request of Mr. Puppolo of Springfield, the members, guests, and employees stood in a moment of silence in honor of and in respect for two courageous young men, international students from the Kingdom of Saudi Arabia, who gave their lives trying to rescue several children in distress from drowning.

Jaser Daham
Al-Rakah and
Theeb Al-Yami.

On June 29, 2018, Mr. Jaser Daham Al-Rakah, age 25, and Mr. Theeb Al-Yami, age 27, who are cousins, were present on Red Bridge Road in Wilbraham, Massachusetts, when they observed several young children struggling with the currents in the Chicopee River. Both men selflessly put themselves in peril to try to save the children, and while the children were rescued, both Mr. Al-Rakah and Mr. Al-Yami perished.

Mr. Al-Rakah was a student in the engineering program at Western New England University and Mr. Al-Yami was studying engineering at the University of Hartford. Both men will receive posthumous degrees from their respective universities. The sacrifice of these two heroes manifests and reaffirms our faith in humanity, regardless of nationality. We will never forget them.

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Auclair's Market on the occasion of its one hundredth anniversary;

Auclair's
Market.

Resolutions (filed by Mr. Arciero of Westford) congratulating Sharon Corbin of Littleton on her selection as the 2018 Littleton Unsung Heroine by the Massachusetts Commission on the Status of Women;

Sharon
Corbin.

Resolutions (filed by Mr. Berthiaume of Spencer) commending Brookfield Orchards on the occasion of its one hundredth anniversary celebration;

Brookfield
Orchards.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Zachary Sorel on receiving the Eagle Award from the Boy Scouts of America; and

Zachary
Sorel.

Resolutions (filed by Mr. Muratore of Plymouth) congratulating Samuel Kierstead on receiving the Eagle Award of the Boy Scouts of America;

Samuel
Kierstead.

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

Petitions.

Representative Markey of Dartmouth and Senator Montigny presented a joint petition (subject to Joint Rule 12) of Christopher M. Markey and Mark C. Montigny for legislation to establish a sick leave bank for Heather Tavares, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the committee on Rules.

Heather
Tavares,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mr. Whelan of Brewster presented a petition (subject to Joint Rule 12) of Timothy R. Whelan for legislation to establish a sick leave bank for Michael Tucker, an employee of the Department of State Police; and the same was referred, under Rule 24, to the committee on Rules.

Michael
Tucker,—
sick leave.

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 Colleen M. Garry relative to fees assessed by the Dracut Water Supply District. To the committee on Municipalities and Regional Government.

Dracut,—
water
fees.

Petition (accompanied by bill) of David Paul Linsky and others relative to 3D printed weapons and ghost guns, so-called. To the committee on Public Safety and Homeland Security.

3D, etc.
guns.

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

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4890).

Environment
and eco-dev
bonds,—
terms.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill providing for the terms of certain bonds for transportation improvements to be issued by the Commonwealth (printed in House, No. 4891).

Highway
bond,—
terms.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition,

Amy

a Bill establishing a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families (House, No. 4896).

Burlingame,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health (House, No. 4897).

Julie
Jennings,—
sick leave.

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

Engrossed Bills.

Engrossed bills

Authorizing the town of Wareham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see Senate, No. 2307) (which originated in the Senate);

Bills
enacted.

Authorizing the city of Salem to grant one additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (see House, No. 3753, amended); and

Authorizing the city of Quincy to grant abatements of real estate taxes to certain veterans (see House, No. 4782);

(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.

House bills

Providing for recall elections in the town of Erving (House, No. 4144); and

Authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 4429);

Third
reading
bills.

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 House Bill establishing an early retirement incentive program for Barnstable County (House, No. 4107) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Barnstable
County,—
early
retirement.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting after section 1 the following section:

“SECTION 1A. The county administrator, with the approval of the commissioners of Barnstable county, may fill county department position vacated as a result of participation by an eligible employee in the retirement incentive program vacated by such participation; provided, however, that the total annualized cost of regular compensation paid out by the county in fiscal year 2019 for all refilled positions shall not exceed 20 per cent of the total annualized cost of regular compensation that would have been paid out by the county during fiscal year 2019 for positions vacated in county pursuant to the retirement incentive program had the

positions not been vacated; and provided further, that the total annualized cost of regular compensation paid out by the county in fiscal year 2019 for all refilled positions shall not exceed 20 per cent of the total annualized cost of regular compensation which would have been paid out by the county during fiscal year 2019 for the positions vacated in the county pursuant to the retirement incentive program had the positions not been vacated.

An employee retired under this act shall not be re-employed in county service, whether as a consultant, an independent contractor or a person whose regular duties require time devoted to county service, within 30 days after the date of retirement.”.

The amendment was adopted; and the bill (House, No. 4107, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eleven minutes after eleven o’clock A.M., on motion of Ms. Gifford of Wareham (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, AUGUST 27, 2018.

[93]

JOURNAL OF THE HOUSE.

Monday, August 27, 2018.

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.

During the session, the Speaker took the Chair, and addressed the House, as follows:

“Today, the Massachusetts House of Representatives joins a grateful nation in mourning a true American hero – Senator John McCain.

U.S. Senator John McCain.

On behalf of Leader Jones and myself, we remember the Senator and his commitment to putting country over politics and party.

Senator McCain embodied what makes America, America. He was a man of deep character who he held a conviction to his beliefs, demonstrated respect toward his adversaries, and possessed an iron will to overcome unthinkable adversity.

Senator McCain challenged all of us to be better public servants and better Americans. His legacy will endure not only in the Capitol, but in the halls of State Houses around the country as we strive to live up to the Senator’s ideals.

In honor of his service and sacrifice, I along with my esteemed colleague Leader Jones and all of the Democrats and Republicans of this House – would like to ask that the chamber join in a moment of silence in recognition of this great patriot.”

Appointment to the Postpartum Depression Commission.

The Speaker announced, on July 30, 2018, that he had appointed Representative Fiola of Fall River to the special commission established (under the provisions of Chapter 313 of the Acts of 2010) for the purpose of making an investigation and study relative to postpartum depression.

Postpartum depression commission.

Papers from the Senate.

Bills

Allowing the city council of the city of Everett to set the salary for the clerk of the city council (Senate, No. 2514, amended by striking out section 1 and inserting in place thereof the following section:

Everett,—
city council clerk.

“SECTION 1. Notwithstanding any general or special law to the contrary, the city council of the city of Everett shall set the salary of the clerk of the city council at the amount that the council deems appropriate.”) (on a petition) [Local Approval

Received]; and

Adding a fifth member to the Board of Elections Commission in the city of Everett (Senate, No. 2658) (on Senate bill No. 2515) [Local Approval Received];

Everett,—
election
commission.

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 Committee.

The Speaker being in the Chair,—

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

Authorizing the town of Blackstone to continue the employment of fire chief Michael Sweeney (House, No. 4764) [Local Approval Received];

Blackstone,—
fire chief.

Authorizing the town of Stoneham to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4804) [Local Approval Received];

Stoneham,—
liquor
licenses.

Relative to raising the income threshold for senior real property tax deferments in the town of Brookline (House, No. 4847) [Local Approval Received];

Brookline,—
tax deferments.

Establishing a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families (House, No. 4896); and

Amy
Burlingame.

Establishing a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health (House, No. 4897);

Julie
Jennings,—
sick leave.

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

Emergency Measure.

Mr. Donato of Medford being in the Chair,—

The engrossed Bill establishing a sick leave bank for Diane Misiano, an employee of the Department of Revenue (see House, No. 4845, 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.

Diane
Misiano,—
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 5 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 Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill changing the date of the annual town meeting of the town of North Reading (see House, No. 4687) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Speaker being in the Chair,—

House bills

Authorizing the town of Tyngsborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4430);

Establishing an appointed highway superintendent in the town of Groveland (House, No. 4620) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the Orleans affordable housing trust fund (House, No. 4645) (its title having been changed by the committee on Bills in the Third Reading);

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

Third
reading
bills.

Order.

On motion of Mr. Kafka of Stoughton,—

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

Next
sitting.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (the Speaker being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 30, 2018.

[94]

JOURNAL OF THE HOUSE.

Thursday, August 30, 2018.

Met at seven minutes after 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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Lombardo of Billerica) congratulating the Billerica Colonial Minute Men on the occasion of its fiftieth anniversary, were referred under Rule 85, to the committee on Rules.

Billerica
Colonial
Minute Men.

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

Paper from the Senate.

A Bill exempting all positions in the police department of the town of Williamstown from the civil service law (Senate, No. 2579) (on a petition) [Local Approval Received] [Representative DeCoste of Norwell, of the committee on Public Service, dissenting], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Williamstown,—
civil
service.

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 petition of Keiko M. Orrall and Marc R. Pacheco for legislation to establish a sick leave bank for Lori Convey, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Lori
Convey,—
sick leave.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Heather Tavares, an employee of the Department of Children and Families (House, No. 4900). Read; and referred, under Rule 7A, to the committee on Steering Policy and Scheduling.

Heather
Tavares,—
sick leave.

Orders of the Day.

House bills

Repealing the act establishing the Nantucket Mosquito Control Project (House, No. 4644);

Authorizing the town of Foxborough to grant an additional license for the sale of all alcoholic beverages not to be consumed on the premises (House, No. 4768) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health (House, No. 4897);

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.

Third reading bills.

The House Bill authorizing the town of Brookline to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises in certain target commercial areas (House, No. 4428) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time.

Brookline,— liquor licenses.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 54 and 55, by striking out the words “or transferred”.

The amendment was adopted; and the bill (House, No. 4428, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

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

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, SEPTEMBER 4, 2018.

[95]

JOURNAL OF THE HOUSE.

Tuesday, September 4, 2018.

Met at six minutes after 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 — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill authorizing the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises [see House, No. 3753] (for message, see House, No. 4901), was filed in the Office of the Clerk on Thursday, August 30.

Salem,—
liquor
license.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Luke Farias from the Falls Elementary School in North Attleborough, who was accompanied by his mother Beth Farias. At the invitation of the Chair, Luke joined the Chair in reciting the pledge of allegiance to the flag. They were the guests of Representative Poirier of North Attleborough.

Luke and
Beth Farias.

Resolutions.

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

Resolutions (filed by Ms. Gifford of Wareham) congratulating Gilbert and Mildred Carlson on the occasion of their sixty-fifth wedding anniversary; and

Gilbert and
Mildred Carlson.

Resolutions (filed by Mr. Lombardo of Billerica) recognizing September 8th, 2018 as the Dementia Friendly Billerica Day;

Billerica,—
Dementia day.

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. Honan of Boston, 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.

A Bill establishing a sick leave bank for Thomas Millett, an employee of the

Thomas

UNCORRECTED PROOF.

Worcester county sheriff's office (Senate, No. 2659) (on Senate bill No. 2638), passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Millett,—
sick leave.

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

Under suspension of the rules, on motion of Mr. Honan of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill amending the charter of the city of Everett to reduce the amount of time that a former city councilor is required to wait before holding other compensated city employment (Senate, No. 2516, amended by striking out section 2 and inserting in place there of the following section:

Everett,—
charter.

“SECTION 2. The third sentence of said subsection (a) of said section 2-3 of said article 2 is hereby amended by striking out the words ‘at least 1 year’ and inserting in place thereof the following words:- 30 days.”) (on a petition) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of a Committee.

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

The Senate Bill exempting all positions in the police department of the town of Williamstown from the civil service law (Senate, No. 2579) [Local Approval Received]; and

Williamstown,—
civil service.

House bills

Amending the membership of the Nantucket Planning & Economic Development Commission by removing the superintendent of the department of public works (House, No. 4819) [Local Approval Received]; and

Nantucket,—
commission.

Establishing a sick leave bank for Heather Tavares, an employee of the Department of Children and Families (House, No. 4900);

Heather
Tavares,—
sick leave.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Daisy F. Bolden, an employee of the Teachers' Retirement Board (see House, No. 4448) 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.

Daisy
Bolden,—
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.

The engrossed Bill establishing a sick leave bank for David Palazzo, an employee of the Department of Developmental Services (see House, No. 4508) 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.

David
Palazzo,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as

UNCORRECTED PROOF.

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.

The engrossed Bill establishing a sick leave bank for Keri Volk, an employee of the Department of Correction (see House, No. 4616) 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.

Keri Volk,—
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.

Engrossed Bill.

The engrossed Bill authorizing the city of Newton to lease the John W. Weeks School (see House, No. 4262) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Vieira of Falmouth (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, SEPTEMBER 6, 2018.

[96]

JOURNAL OF THE HOUSE.

Thursday, September 6, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

Good and Gracious God we ask Your blessing upon the women and men who serve our Commonwealth in this historic chamber. We are grateful to Your Spirit of love and justice, mercy and peace. May this Spirit rest upon all who enter this room.

Today marks the 140th anniversary of the birth of Joseph P. Kennedy, who served as the United States' Ambassador to Great Britain from 1938 until late 1940 and was the patriarch of a Massachusetts political dynasty.

May God continue to bless our Commonwealth.

Prayer.

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

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

Resolutions (filed by Messrs. Fernandes of Falmouth and Vieira of Falmouth) honoring the First Congregational Church in the town of Falmouth on its exceptional work in support of the Falmouth community; and

Resolutions (filed by Mr. Muratore of Plymouth) commending Steven Karidoyanes on his twenty-fifth season as conductor of the Plymouth Philharmonic Orchestra;

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

Falmouth,—
Congregational
Church.

Steven
Karidoyanes.

Petition.

Mr. O'Day of West Boylston presented a petition (subject to Joint Rule 12) of James J. O'Day for legislation to designate a certain bridge in the town of West Boylston as the United States Army Specialist Kyle A. Little memorial bridge; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Cassidy of

West
Boylston,—
Little bridge.

UNCORRECTED PROOF.

Brockton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill authorizing the city of Worcester to convey a certain parcel of land (Senate, No. 2629) (on a petition) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Worcester,—
land.

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

Under suspension of the rules, on motion of Mr. Walsh of Peabody, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill authorizing the acquisition of easement interests for a pumping station in the city of Easthampton (Senate, No. 2581) (on a petition) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Easthampton,—
land.

Report of a Committee.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Hatfield to grant an additional off-premises license for the sale of all alcoholic beverages (House, No. 4878) [Local Approval Received], be scheduled for consideration by the House.

Hatfield,—
liquor
license.

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

Engrossed Bill.

Engrossed bills

Establishing a sick leave bank for Daisy F. Bolden, an employee of the Teachers' Retirement Board (see House, No. 4448);

Bills
enacted.

Establishing a sick leave bank for David Palazzo, an employee of the Department of Developmental Services (see House, No. 4508); and

Establishing a sick leave bank for Keri Volk, an employee of the Department of Correction (see House, No. 4616);

(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.

The engrossed Bill permitting the city of Revere to establish penalties and liens for water meter ordinance violations (see House, No. 4458) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Thomas Millett, an employee of the Worcester county sheriff's office (Senate, No. 2659), 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 public art fund in the town of Amherst (House, No. 4163) (its title having been changed by the committee on Bills in the Third Reading); and

Third reading bills.

Establishing a sick leave bank for Heather Tavares, an employee of the Department of Children and Families (House, No. 4900);

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 House Bill relative to accidental disability retirement for Jan Witkowski (House, No. 3790), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Jan Witkowski,—retirement benefits.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding the notice requirements in subsection (1) of section 7 of chapter 32 of the General Laws or any other general or special law to the contrary and in order to promote the public good, Jan Witkowski, a retired member of the Massport Employees' Retirement System, shall be eligible to seek an accidental disability retirement pursuant to section 7 of chapter 32 of the General Laws.”

The amendment was adopted; and the bill (House, No. 3790, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families (House, No. 4896), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Amy Burlingame,—sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 7 by striking out the words “Department of Children and Families' paid” and inserting in place thereof the words “the extended illness”.

The amendment was adopted; and the bill (House, No. 4896, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Thomas Millett, an employee of the Worcester county sheriff's office (see Senate, No. 2659), 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.

Thomas Millett,—sick leave.

UNCORRECTED PROOF.

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-eight minutes before twelve o'clock noon, on motion of Mr. Vieira of Falmouth (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, SEPTEMBER 10, 2018.

[97]

JOURNAL OF THE HOUSE.

Monday, September 10, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Ferrante of Gloucester in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Grace and Peace, we give thanks today for the many ways, seen and unseen, noticed and unnoticed, that Your Grace enters our lives.

Prayer.

We pray for our legislators and their constituents.

On this eve of the anniversary of the 9/11 terrorist attacks, when 206 persons with ties to our Commonwealth died, we pray in remembrance of those souls, that they may rest in Your Peace; and we pray for their relatives and friends. May we who have Your Grace to honor them well and to live our lives in such a way that we demonstrate our love and respect for them and for all people.

May God continue to bless our Commonwealth.

At the request of the Chair (Ms. Ferrante), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation to protect the commonwealth from dangerous persons (House, No. 4903), was filed in the office of the Clerk on Thursday, September 6.

Dangerous persons.

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

Resolutions.

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

Resolutions (filed by Representatives Poirier of North Attleborough and Hawkins of Attleboro) congratulating Cameron Griswold on receiving the Eagle Scout Award of the Boy Scouts of America;

Cameron Griswold.

Resolutions (filed by Mr. Muratore of Plymouth) commending the Massachusetts Falls Prevention Coalition on its celebration of Falls Prevention Awareness Day;

Falls Prevention Awareness Day.

Resolutions (filed by Mr. Roy of Franklin) congratulating Jack Branigan on receiving the Eagle Award of the Boy Scouts of America;

Jack Branigan.

Resolutions (filed by Messrs. Roy of Franklin and Murray of Milford) congratulating Cameron Ryken Peter Auler on receiving the Eagle Award of the

Cameron Auler.

Boy Scouts of America;

Resolutions (filed by Mr. Ryan of Boston and other members of the House) congratulating John M. MacGillivray on the occasion of his receiving the Honorable Francis J. Larkin Lifetime Achievement Award;

John
MacGillivray.

Resolutions (filed by Mr. Walsh of Peabody) congratulating Michael McLernon on receiving the Eagle Award of the Boy Scouts of America; and

Michael
McLernon.

Resolutions (filed by Mr. Walsh of Peabody) congratulating Daniel Joseph Smith on receiving the Eagle Award of the Boy Scouts of America;

Daniel
Smith.

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

Petitions.

Mrs. Campbell of Methuen presented a petition (accompanied by bill, House, No. 4905) of Linda Dean Campbell, Kathleen O'Connor Ives and Frank A. Moran (with the approval of the mayor and city council) relative to the school budget deficit in the city of Methuen; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Methuen,—
budget
deficit.

Representative Jones of North Reading and Senator Crighton presented a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., and Brendan P. Crighton for legislation to establish a sick leave bank for G. Scott Angelo, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Scott
Angelo,—
sick leave.

Papers from the Senate.

The Senate Bill establishing a sick leave bank for Tiffany Sonnier, an employee of the Department of Mental Health (Senate, No. 2639) (on a petition), passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Tiffany Sonnier,—
sick leave.

The Senate Bill concerning health insurance benefits for surviving spouses of firefighters in the city of Boston (printed as House, No. 4057) (on a petition) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Boston,—
survivor
benefits.

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 Timothy R. Whelan for legislation to establish a sick leave bank for Michael Tucker, an employee of the Department of State Police. To the committee on Public Service.

Michael
Tucker,—
sick leave.

Petition (accompanied by bill) of Paul W. Mark relative to designating a certain bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge. To the committee on Transportation.

Dalton,—
Daehling
bridge.

UNCORRECTED PROOF.

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

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Thomas Millett, an employee of the Worcester county sheriff's office (see Senate, No. 2659) (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 authorizing the city of Beverly to issue an additional liquor license for the sale of all alcoholic beverage not to be drunk on the premises (see House, No. 4628) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The Senate Bill authorizing the town of Sturbridge to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2507) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

House bills

Authorizing the town of Falmouth to continue the employment of police chief Edward Dunne (House, No. 4548);

Third
reading
bills.

Relative to a real property exemption for disabled persons in the town of Westford (House, No. 4660);

Changing the membership of the representative town meeting of the town of Norwood (House, No. 4718) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the disability retirement of public safety personnel in the city of Quincy (House, No. 4719);

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. Sent to the Senate for concurrence.

House bills

Extending municipal bonding terms for local infrastructure development programs (House, No. 1105); and

Second
reading
bills.

Relative to year of manufacture registration plates (House, No. 1872);

Severally were read a second time; and they were ordered to a third reading.

The Senate Bill relative to the appointment of retired police officers in the town of Essex (Senate, No. 2271), reported by the committee on Bills in the Third reading

Essex,—
retired

UNCORRECTED PROOF.

to be correctly drawn, was read a third time.

police.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it in section 8, in line 49, by inserting after the word “benefits” the following: “; provided, however, that said special police officers shall be subject to chapter 151A of the General Laws”.

The amendment was adopted; and the bill (Senate, No. 2271, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-seven minutes after eleven o’clock A.M., on motion of Mr. Wong of Saugus (Ms. Ferrante of Gloucester being in the Chair), the House adjourned, to meet the following Thursday at eleven o’clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, SEPTEMBER 13, 2018.

[98]

JOURNAL OF THE HOUSE.

Thursday, September 13, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God whose Law of Love has long held Your people together, we pray for our elected officials in this chamber and their staff. May the work entrusted to them be accomplished in Your spirit of charity especially toward the weak and vulnerable members of our Commonwealth.

Prayer.

God, Source of Life, we pray for our fellow citizens in the southern coastal area as they face dangerous weather conditions in the days to come.

We remember that today marks the 1766 birth of Samuel Wilson in Menotomy, now known as Arlington. Wilson is believed to be the inspiration for the patriotic symbol known as Uncle Sam. At the time of the nation's bicentennial, a memorial was created in his honor in Arlington.

May God continue to bless our Commonwealth.

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 establishing a sick leave bank for Keri Volk, an employee of the Department of Correction [see House, No. 4616] (for message, see House, No. 4906), was filed in the office of the Clerk on Wednesday, September 12.

Keri Volk,—
sick leave.

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 Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Resolutions.

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

Resolutions (filed by Mr. Roy) recognizing the month of October, 2018 as Principals Month; and

Principals
Month.

Resolutions (filed by Representatives Vieira of Falmouth, Hunt of Sandwich,

Association
to Preserve

Peake of Provincetown, Whelan of Brewster, Fernandes of Falmouth and Crocker of Barnstable) commending the Association to Preserve Cape Cod on its fiftieth anniversary;

Cape Cod.

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

Communications.

Communications

From the Division of Health Professions Licensure (see Section 3B of Chapter 7 of the General Laws) submitting notice of proposed fee increases for mobile integrated health care;

Health Professions,—
licensure.

From the Massachusetts Capital Resource Company (see Section 12 of Chapter 816 of the Acts of 1977) submitting its annual report describing the formation and current status of said company, [copy of said report was forwarded to the Speaker of the House]; and

Capital Resource Company.

From the State Fatality Domestic Violence Review Team (see Section 4 of Chapter 260 of the Acts of 2014) submitting an annual report for the year 2017;

Domestic violence,—
fatalities.

Severally were placed on file.

Annual Reports.

Annual Reports

Of the Executive Office of Labor and Workforce Development Workforce Training Fund Program (WTFP) (under Section 2RR of Chapter 29 of the General Laws) for the fiscal year 2018;

Workforce Training Fund Program.

Of the Division of Standards (under Section 57 of Chapter 98 of the General Laws) for the work completed during the calendar year 2017; and

Division of Standards.

Of the Massachusetts Bay Transportation Authority (under Section 196 of Chapter 46 of the Acts of 2015) on its waiver of the provisions of sections 52 to 55, inclusive, of Chapter 7 of the General Laws pertaining to contracts for the procurement of goods and services executed by or on behalf of said authority [copies of said report forwarded to the House committee on Ways and Means and the joint committee on Transportation];

“Pacheco Law”
waiver,—
annual report.

Severally were placed on file.

Petition.

Messrs. Koczera of New Bedford and Straus of Mattapoisett presented a petition (subject to Joint Rule 12) of Robert M. Koczera and William M. Straus for legislation to designate the Weld Street exit on state Route 18 in the city of New Bedford as the Giammalvo family memorial exit; and the same was referred, under Rule 24, to the committee on Rules.

New Bedford,—
Giammalvo family.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Barber of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and

the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill establishing a sick leave bank for Pamela Lopez, an employee of the Department of Developmental Services (Senate, No. 2550) (on a petition), passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Pamela Lopez,—
sick leave.

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

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

A petition (accompanied by bill, Senate, No. 2660) of Anne M. Gobi, Peter J. Durant and Paul K. Frost (by vote of the town) for legislation relative to the membership of the conservation commission of the town of Charlton, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Charlton,—
conservation
commission.

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 Bradley H. Jones, Jr., and Brendan P. Crighton for legislation to establish a sick leave bank for G. Scott Angelo, an employee of the Trial Court. Under suspension of the rules, on motion of Ms. Barber of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Scott Angelo,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Tiffany Sonnier, an employee of the Department of Mental Health (Senate, No. 2639), be scheduled for consideration by the House.

Tiffany Sonnier,—
sick leave.

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

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been 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.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to marijuana-related revenue in the town of Millbury (Senate, No. 2563) [Local Approval Received], be scheduled for consideration by the House.

Millbury,—
revenue.

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

By Mr. Chan of Quincy for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill authorizing the board of selectmen

Arlington,—
liquor
licenses.

UNCORRECTED PROOF.

of the town of Arlington to place upon a town ballot a question to increase the number of licenses for all alcoholic beverages not to be drunk on the premises (House, No. 4892) [Local Approval Received].

By the same member, for the same committee, on House, No. 4875, a Bill authorizing the town of Ayer to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4907) [Local Approval Received].

Ayer,—
liquor
license.

By the same member, for the same committee, on House, No. 4876, a Bill authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4908) [Local Approval Received].

Dracut,—
liquor
license.

By Mr. O’Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the purchase of land for the Bruce Freeman Rail Trail (House, No. 4755).

Bruce Freeman
Rail Trail,—
land.

By the same member, for the same committee, on a petition, a Bill [sic] Groton Charter (House, No. 4893) [Local Approval Received].

Groton,—
charter.

By the same member, for the same committee, on a petition, a Bill relative to fees assessed by the Dracut Water Supply District (House, No. 4898).

Dracut,—
water fees.

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

Engrossed Bill.

The engrossed Bill authorizing the town of Sturbridge to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 2507) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Donna Paul, an employee of the Department of Correction (Senate, No. 2166), 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.

The House Bill relative to electric vehicle charging stations in the city of Boston (House, No. 4069) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Id.

The House Bill authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (House, No. 4551), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Auburn,—
land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 2, in line 16, by inserting after the word “Avenue” (as published) the following: “pursuant to section 1, which are portions of

UNCORRECTED PROOF.

the land acquired by the town pursuant to 2 orders of taking, recorded at the Worcester district registry of deeds at book 4547, page 270 and book 4597, page 101”.

The amendment was adopted; and the bill (House, No. 4551, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-seven 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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, SEPTEMBER 17, 2018.

[99]

JOURNAL OF THE HOUSE.

Monday, September 17, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Vitality, we give thanks for the pleasant fall weather our Commonwealth enjoys today. We ask that Your Blessing may be upon our House membership and upon all who work with and for our elected officials.

We lift up in thought and prayer the small Franklin County town of Shelburne which celebrates its 250th anniversary tomorrow. Shelburne's 2,000 citizens enjoy their pastoral settings and surroundings. Located in the village of Shelburne Falls, the picturesque Bridge of Flowers spans the Deerfield River, linking Shelburne to the town of Buckland.

May God continue to bless our Commonwealth.

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.

Prayer.

Pledge of
allegiance.

Resolutions.

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

Resolutions (filed by Ms. DiZoglio of Methuen) congratulating Nancy Chippendale's Dance Studios on the occasion of its fortieth anniversary;

Resolutions (filed by Mr. Goldstein-Rose of Amherst) recognizing the one hundredth anniversary of UMass Food Science; and

Resolutions (filed by Mr. Speliotis of Danvers and other members of the House) honoring the Essex Agricultural Society on its two hundredth anniversary;

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

Chippendale's
Dance Studios.

UMass Food
Science.

Essex
Agricultural.

Petition.

Mr. Kafka of Stoughton presented a petition (subject to Joint Rule 12) of Louis L. Kafka that the State Retirement Board be authorized to grant creditable service to James Wright, an employee of the town of Sharon; and the same was referred, under Rule 24, to the committee on Rules.

James Wright,—
creditable
service.

Papers from the Senate.

The House Bill authorizing the town of Whately to continue the employment of John Hannum (House, No. 4547), came from the Senate passed to be engrossed, in concurrence, with an amendment, in section 1, in line 6, striking out the figures: “70” and inserting in place thereof the figures: “69”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Whately,—
John Hannum.

The House Bill authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (House, No. 4675), came from the Senate passed to be engrossed, in concurrence, with an amendment, in section 1, in line 7, inserting after the word “capability” the following: “; and provided further, that no deductions shall be made from the regular compensation of Floyd Dunnell, III pursuant to chapter 32 of the General Laws for any service subsequent to August 13, 2018 and, upon retirement, Floyd Dunnell, III shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on August 13, 2018”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Northfield,—
Floyd
Dunnell, III.

A Bill establishing a sick leave bank for Marco Adorno, an employee of the Massachusetts Department of Transportation (Senate, No. 2634) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Marco
Adorno,—
sick leave.

A petition (accompanied by bill) of Michael D. Brady for legislation to establish a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Richard
Perry,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2661) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Lori Convey, an employee of the Department of Correction (House, No. 4902).

Lori
Convey,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Michael Tucker, an employee of the Department of State Police (House, No. 4911).

Michael
Tucker,—
sick leave.

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

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and

Easthampton,—

UNCORRECTED PROOF.

Scheduling, that the Senate Bill authorizing the acquisition of easement interests for a pumping station in the city of Easthampton (Senate, No. 2581) [Local Approval Received], be scheduled for consideration by the House.

easement.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Donna Paul, an employee of the Department of Correction (see Senate, No. 2166), 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.

Donna Paul,—
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 6 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 sent to the Senate.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Tiffany Sonnier, an employee of the Department of Mental Health (see Senate, No. 2639), 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.

Tiffany Sonnier,—
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 6 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 sent to the Senate.

Bill enacted.

The engrossed Bill relative to accidental disability retirement for Jan Witkowski (see House, No. 3790, 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.

Jan Witkowski,—
retirement.

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 6 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 sent to the Senate.

Bill enacted.

Engrossed Bill.

The engrossed Bill relative to the assessment of betterments for improvements to private ways in the town of Sandwich (see House, No. 3711, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Orders of the Day.

The engrossed Bill establishing a sick leave bank for Keri Volk, an employee of the Department of Correction (see House, No. 4616), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4906), was considered.

Keri Volk,—
sick leave.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

In line 4 (as published) by inserting after the word “Volk”, the first time it appears, the words “to care for her child”.

The amendment was adopted. Sent to the Senate for its action.

Senate bills

Establishing the East Bridgewater Town Center Sewer District in the town of East Bridgewater (Senate, No. 2423); and

Third
reading
bills.

Exempting all positions in the police department of the town of Williamstown from the civil service law (Senate, No. 2579);

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.

The House Bill relative to fire safety (House, No. 1306), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Fire
safety.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4913), 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 the appointment of retired police officers in the town of Stoneham (House, No. 4581), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Stoneham,—
retired
police.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out sections 3 to 10, inclusive.

The amendment was adopted; and the bill (House, No. 4581, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

UNCORRECTED PROOF.

At twenty-four minutes after eleven o'clock A.M., on motion of Mrs. 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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, SEPTEMBER 20, 2018.

[100]

JOURNAL OF THE HOUSE.

Thursday, September 20, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Strength and Endurance, we pray today for the membership of our House of Representatives and for their staff. Give them a share of Your Spirit to help them in their efforts to create good and fair legislation for the many citizens of our Commonwealth.

Prayer.

After the recent heavy rainfalls, we lift up in gratitude the creative engineering and dedicated labor involved in the creation of Boston's Back Bay, turning what was a tidal bay and marshland in 1858 into a fashionable neighborhood and cultural center of Boston. In order to provide landfill, a nine-mile railroad was constructed that connected a quarry in Needham to the landfill area. Rubble from the great Boston Fire of 1872 was added as well. The project to fill the wetlands took 24 years to complete.

May God continue to bless our Commonwealth.

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 Prayer.

At the request of Mr. Brodeur of Melrose, the members, guests and employees stood in a moment of silent tribute to the memory of John Doherty, foreman of the city of Melrose Division of Parks and Forestry, who passed away on September 13 from injuries sustained while doing the job he loved. Mr. Doherty worked in Melrose from 2004 through 2018 and was widely respected and genuinely loved by his colleagues. He was a father figure to the younger generation of DPW employees. He treated everyone with respect.

John Doherty.

Mr. Doherty made significant contributions to the city of Melrose through his daily work. When people look around Melrose, at the beautiful parks and playing fields, the grounds of the schools and municipal buildings and the tree canopy, they are looking at John's work and leadership. He was instrumental in helping Melrose look the way it does today – lining fields, cutting grass, pruning trees, and maintaining flags city-wide. A Melrose resident, John was dependable and strongly committed to his job.

He leaves behind his wife, Carol Doherty, and sons John Doherty, Jr., Michael Carpenter and Christopher Carpenter. He was a loving husband, father and grandfather, and an all-around super guy. He will be sorely missed by his colleagues in Public Works and by the entire community.

Appointments to Commissions.

The Speaker announced that he had made appointments to commissions, as follows:

That (under Section 66 of Chapter 3 of the General Laws) he had appointed Ms. Liz Friedman of Northampton to the permanent commission on the Status of Women; and

Status of Women.

That (under Section 190 of Chapter 133 of the Acts of 2016) he had appointed Sanford Pooler, Deputy Town Manager of the town of Arlington to the special commission established to study and make recommendations to improve efficiencies relative to transportation for homeless students.

Homeless students,—
transportation.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, students from Saint Kevin's College in Melbourne, Australia and their instructors Andrew, Tom and Steffan. They were the guests of Mr. Hill of Ipswich.

Australian students.

Resolutions.

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

Resolutions (filed by Messrs. Kafka of Stoughton, Dooley of Norfolk, McMurtry of Dedham and Rogers of Norwood) congratulating Brendan Cormier on receiving the Eagle Award of the Boy Scouts of America;

Brendan Cormier.

Resolutions (filed by Representatives Lewis of Framingham, Dykema of Holliston, Roy of Franklin and Murray of Milford) honoring Stephanie A. Mercandetti on the dedication of the Stephanie Mercandetti Bench and Tree in the city of Framingham; and

Stephanie Mercandetti.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Ronald W. Arsenault for sixty years as a member of the Waltham Lion's Club;

Ronald Arsenault.

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. Hill of Ipswich, 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 Wagner of Chicopee and Senator Lesser, a joint petition (accompanied by bill, House, No. 4914) of Joseph F. Wagner, Eric P. Lesser and others (with the approval of the mayor and city council) that the city of Chicopee be authorized to establish a water and sewer department in said city. To the committee on Municipalities and Regional Government.

Chicopee,—
water and
sewer
department.

By Representative Murphy of Weymouth and Senator O'Connor, a joint petition (accompanied by bill, House, No. 4915) of James M. Murphy, Patrick M.

Weymouth,—
Michael
Chesna.

O'Connor and Ronald Mariano (with the approval of the mayor and town council) that the retirement board of the town of Weymouth be authorized to pay a certain retirement benefit to the surviving spouse of fallen officer Michael Chesna of the police department of said town. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mrs. Haddad of Somerset (by request), a petition (subject to Joint Rule 12) of Scott L. Ellis for adoption of resolutions by the General Court requesting the Governor (with the consent of the Council) to remove Susan L. Jacobs from the office of Associate Justice of the Bristol Probate and Family Court of Bristol County.

Susan
Jacobs,—
judgeship.

By Representative Mark of Peru and Senator Hinds, a joint petition (subject to Joint Rule 12) of Paul W. Mark and Adam G. Hinds relative to designating a certain bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge.

Dalton,—
Daehling
bridge.

By Mr. Mom of Lowell, a petition (subject to Joint Rule 12) of Rady Mom for legislation to establish a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health.

Aaron
Nyahn,—
sick leave.

By Mr. Scibak of South Hadley, a petition (subject to Joint Rule 12) of John W. Scibak relative to ballots for state primary elections.

Primarys,—
ballots.

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

Papers from the Senate.

The House Bill authorizing the city of Beverly to continue the employment Paul Cotter as fire chief (House, No. 4488), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 3, inserting after the word "until", the first time it appears, the following: "he reaches 70 years of age, until". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Beverly,—
Paul Cotter.

Subsequently, the amendment (having been reported by said committee to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill) of Marc R. Pacheco and Keiko M. Orrall for legislation to establish a sick leave bank for Kelli Jones, an employee of the Department of Mental Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Kelli Jones,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2663) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for G. Scott Angelo, an employee of the Trial Court (House, No. 4909). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Scott
Angelo,—
sick leave.

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

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the following bills ought to pass:

Relative to certain affordable housing in the Roxbury section of the city of Boston (House, No. 4288) [Local Approval Received]; and

Providing for the terms of certain bonds for transportation improvements to be issued by the Commonwealth (printed in House, No. 4891);

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

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on further motion of the same member, the bills 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.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the House Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 4890), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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, its title having been changed by said committee to read: "An Act providing for the terms of certain bonds for the protection of environmental and natural resources and certain bonds for the economic infrastructure and economic opportunity needs of the Commonwealth to be issued by the Commonwealth". Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, 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 Marco Adorno, an employee of the Massachusetts Department of Transportation (Senate, No. 2634); and

House bills

Relative to fees assessed by the Dracut Water Supply District (House, No. 4898); and

Authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4908) [Local

Roxbury,—
housing.

Transportation
bond,—
terms.

Environmental
and economic
bonds,—
terms.

Marco Adorno,—
sick leave.

Dracut Water
Supply District.

Dracut,—
liquor license.

Approval Received];

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the city of Methuen's petition to borrow to address the school budget deficit (House, No. 4905, changed in section 2, in lines 112 to 117, inclusive, by striking out the sentence contained in those lines, and in lines 138 to 142, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "If the officer fails to provide this certification within 7 days after a request for such certification from the mayor, city council or school committee, the appropriation order, financial transfer, ordinance revision, special legislation, borrowing authorization, lease or contract arrangement for a term including more than 1 fiscal year, or collective bargaining agreement, may nonetheless be approved; but the absence of the certification of the officer shall be expressly noted in that order or note.") [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Methuen,—
budget.

Engrossed Bills.

Engrossed bills

Relative to the appointment of retired police officers in the town of Essex (see Senate, No. 2271, amended);

Establishing the East Bridgewater Town Center Sewer District in the town of East Bridgewater (see Senate, No. 2423);

Exempting all positions in the police department of the town of Williamstown from the civil service law (see Senate, No. 2579);

(Which severally originated in the Senate); and

Authorizing the town of Montague to grant one additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4462, amended) (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.

Bills
enacted.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Pamela Lopez, an employee of the Department of Developmental Services (Senate, No. 2550), reported from 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

Authorizing the town of Provincetown to continue the employment of Michael Trovato (House, No. 3865);

Relative to the position of appointed tax collector in the town of Hadley (House, No. 4750);

Relative to the position of appointed treasurer in the town of Hadley (House,

Third
reading
bills.

No. 4751);

Authorizing the city of Newton to amend the income qualifications for a certain tax deferral program (House, No. 4849); and

Establishing a sick leave bank for Lori Convey, an employee of the Department of Correction (House, No. 4902);

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. DeLeo of Winthrop,—

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

Next
sitting.

At nine minutes before twelve o'clock noon, on motion of Mrs. Ferguson of Holden (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, SEPTEMBER 24, 2018.

[101]

JOURNAL OF THE HOUSE.

Monday, September 24, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God, Source of Life, we pray today for our Commonwealth and for the elected members of the House of Representatives and their staff. Grant them the ability to achieve those tasks they face in the week ahead.

Prayer.

We give thanks today for wordsmiths who made Massachusetts their home. It was on this day in 1847 that the Merriam brothers published their first edition of Webster's Dictionary.

While at Amherst College, Noah Webster had completed his life's work in 1828; a standardized, distinctly American dictionary of the English language. It was an expansive and expensive two-volume work and the book sold poorly. When Webster died in 1843, Springfield printers Charles and George Merriam acquired the rights to Webster's dictionary and published an affordable text for the public.

May God continue to bless our Commonwealth.

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.

Appointments of the Minority Leader.

The Minority Leader announced that he had made the following appointments:

That Representative Crocker of Barnstable had been appointed to the special commission established (under Section 219 of Chapter 69 of the Acts of 2018) to study the prevention of suicide among correction officers in Massachusetts correctional facilities;

Correctional facilities,—
suicides.

That Representative Harrington of Groton had been appointed to the bail reform special commission established (under Section 220 of Chapter 69 of the Acts of 2018) to evaluate policies and procedures related to the current bail system and recommend improvements or changes;

Bail.

That Representative Vieira of Falmouth had been appointed to the task force established (under Section 221 of Chapter 69 of the Acts of 2018) to examine and study the treatment and impact of individuals ages 18 to 24 in the court system and correctional system;

Young adults,—
judicial impact.

That Representative Vieira of Falmouth had been appointed to the special commission established (under Section 226 of Chapter 69 of the Acts of 2018) to conduct a thorough review of the educational and experiential requirements for qualified examiners and the clinical standards and practices and risk assessment criteria used by qualified examiners in conducting an assessment of certain sexually dangerous persons;

Sexually dangerous persons,—
examiners.

That Representative Kane of Shrewsbury had been appointed to the task force on regional transit authority performance and funding established (under Section 72 of Chapter 154 of the Acts of 2018) to: (i) evaluate how regional transit authorities can best provide and improve transit services that meet identified community needs; (ii) conduct regular service planning, recognizing the diverse service populations and makeup of different geographic regions, that maximizes ridership using available resources; and (iii) ensure that fares, local contributions and other own-source revenues cover an appropriate share of service costs;

Regional transit services.

That Representative Ferguson of Holden had been appointed to the special commission established (under Section 76 of Chapter 154 of the Acts of 2018) to (i) review data concerning the epidemiology of brain injury and the needs of individuals with acquired brain injury and persons with traumatic brain injury and their families; (ii) analyze the current status of rehabilitative residential and integrated community-based support services for persons with acquired brain injury and persons with traumatic brain injury; and (iii) make recommendations regarding the improvement of such services;

Traumatic brain injuries.

That Representative Hill of Ipswich had been appointed to the special commission established (under Section 77 of Chapter 154 of the Acts of 2018) to study and make recommendations to improve efficiencies relative to transportation for the following: students attending regional schools; students in special education out of district placements; students attending out of district vocational and technical schools; and students attending out of district agricultural schools; and any other student transportation the commission deems appropriate;

School transportation.

That Representative Whelan of Brewster had been appointed to the special commission established (under Section 78 of Chapter 154 of the Acts of 2018) to review the hiring and promotion policies and practices of the state police;

State police.

That Representative Smola of Warren had been appointed to the special commission established (under Section 103 of Chapter 154 of the Acts of 2018) to study the financial and economic impacts of crumbling concrete foundations due to the presence of pyrrhotite;

Concrete foundations.

That Representative Muratore of Plymouth had been appointed to the special commission established (under Section 97 of Chapter 209 of the Acts of 2018) to make an investigation and study relative to ocean acidification;

Ocean acidification.

That Representative DeCoste of Norwell had been appointed to the special commission established (under Section 44 of Chapter 218 of the Acts of 2018) to study the cost and feasibility of exempting veterans of the Commonwealth from tuition, fees and associated costs of attending public colleges and universities in the Commonwealth, due to recent changes in federal veteran services and benefits related to higher education; and

Veterans,—tuitions, etc.

That Representative Howitt of Seekonk had been appointed to the special commission established (under Section 31 of Chapter 219 of the Acts of 2018) to study and report on the feasibility and cost of mandating that employees and contractors of the Department of Children and Families, employees and contractors of the Department of Elder Affairs and investigators for the Disabled Persons Protection Commission report known or suspected animal cruelty, abuse and neglect, and of mandating that certain animal control officers report known or suspected abuse of children and elderly and disabled persons.

Cruelty and abuse to children and animals,—reporting.

Resolutions.

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

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Donna S. Vanderclark on her retirement following thirty-four years of dedicated service and leadership to the town of Weston; and

Donna S.
Vanderclark.

Resolutions (filed by Messrs. Rogers of Norwood, Kafka of Stoughton, McMurtry of Dedham and Dooley of Norfolk) congratulating Dr. Jean Kenney of Walpole on a twenty-eight year career of educational service to the Walpole Public Schools;

Jean
Kenney.

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

Communication.

A communication from the Office of Dam Safety (see Section 48A of Chapter 253 of the General Laws) submitting a report for the year 2017, was placed on file.

Office of
Dam Safety.

Reports.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through August 2018; and

Unemployment
Trust Fund.

A report from the Franklin Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Franklin
Regional
Transit.

Severally were placed on file.

Papers from the Senate.

The House Bill authorizing the town of Brookline to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises in certain target commercial areas (House, No. 4428, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 54 and 55, striking out the sentence contained in those lines, as amended by the House. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Brookline,—
liquor
licenses.

A petition (accompanied by bill, Senate, No. 2662) of Bruce E. Tarr and Bradford R. Hill (by vote of the town) for legislation to authorize the town of Wenham to make permanent improvements to certain private ways and assess betterments, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Wenham,—
private
ways.

The following notice was received from the Clerk of the Senate, to wit:—

September 24, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Karen E. Spilka, President of the Senate, has announced the following appointments:

Senator Michael O. Moore (pursuant to Section 219 of Chapter 69 of the Acts of 2018) to the Special Commission to study the prevention of suicide among correctional officers in Massachusetts correctional facilities;

Correctional facilities,—suicides.

Senator Cynthia Stone Creem (pursuant to Section 221 of Chapter 69 of the Acts of 2018) to the Task Force to examine and study the treatment and impact of individuals ages 18 to 24 in the court system and correction system;

Bail.

Senate President Emerita Harriette L. Chandler (pursuant to Section 76 of Chapter 154 of the Acts of 2018) as Co-Chair to the Brain Injury Commission;

Traumatic brain injuries.

Senator Cindy F. Friedman (pursuant to Section 223 of Chapter 69 of the Acts of 2018) to the Panel on Justice Involved Women;

Justice involved women.

Senator Anne M. Gobi (pursuant to Section 103 of Chapter 154 of the Acts of 2018) as Co-Chair to the Crumbling Concrete Commission to study the financial and economic impacts of crumbling concrete foundations due to the presence of pyrrhotite;

Concrete foundations.

Senator James B. Eldridge (pursuant to Section(s) 202 and 231 of Chapter 69 of the Acts of 2018) to the Restorative Justice Advisory Committee; and

Restorative justice.

Tania Diduca, Chief of Staff at South Middlesex Opportunity Council (pursuant to Section 190 of Chapter 133 of the Acts of 2016) to the Special Commission on Homeless Student Transportation to make a study and recommendations to improve efficiencies relative to transportation for homeless students; and

Homeless students,—transportation.

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced the following appointments:

Attilio J. Paglia of Rowley (pursuant to Section 78 of Chapter 154 of the Acts of 2018) to the Special Commission to review the hiring and promotion policies and practices of the State Police;

State police.

Ms. Catherine T. J. Howe, Psy.D., (pursuant to Section 2A of Chapter 4 of the General Laws) as his appointment to the Special Commission to review the qualifications and scope of practice of qualified examiners, as defined in section 1 of chapter 123A of the General Laws;

Sexually dangerous persons,—examiners.

Mr. Robert Gore of Boxford (pursuant to Section 78 of Chapter 154 of the Acts of 2018) as his appointment to the Special Commission to review the hiring and promotion policies and practices of the State Police; and

State police.

Himself with Mr. Paul Lundberg of Gloucester as his designee (pursuant to Section 72 of Chapter 154 of the Acts of 2018) to the Task Force on regional transit authority performance and funding.

Regional transit services.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 Paul W. Mark and Adam G. Hinds relative to designating a certain bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Dalton,—
Daehling
bridge.

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

Senate bills

Allowing the city council of the city of Everett to set the salary for the clerk of the city council (Senate, No. 2514, amended) [Local Approval Received];

Everett,—
council clerk.

Amending the charter of the city of Everett to reduce the amount of time that a former city councilor is required to wait before holding other compensated city employment (Senate, No. 2516, amended) [Local Approval Received]; and

Everett,—
councilor.

Adding a fifth member to the Board of Elections Commission in the city of Everett (Senate, No. 2658) [Local Approval Received]; and

Everett,—
election board.

The House Bill relative to the purchase of land for the Bruce Freeman Rail Trail (House, No. 4755);

Dracut,—
liquor license.

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

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4894, a Bill relative to real property tax deferrals in the town of Arlington (House, No. 4916) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Arlington,—
tax deferrals.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Pamela Lopez, an employee of the Department of Developmental Services (see Senate, No. 2550), 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.

Pamela
Lopez,—
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.

The engrossed Bill establishing a sick leave bank for Paul Walsh, an employee of the Department of Correction (see House, No. 4452, 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.

Paul Walsh,—
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.

The engrossed Bill establishing a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families (see House, No. 4896, 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.

Amy
Burlingame,—
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.

The engrossed Bill establishing a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health (see House, No. 4897), 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.

Julie
Jennings,—
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.

Engrossed Bill.

The engrossed Bill authorizing the city of Beverly to continue the employment Paul Cotter as fire chief (see House, No. 4488, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

Senate bills

Relative to the General Lafayette Trail (Senate, No. 2265);

Authorizing the city of Worcester to convey a certain parcel of land (Senate, No. 2629); and

Establishing a sick leave bank for Marco Adorno, an employee of the Massachusetts Department of Transportation (Senate, No. 2634);

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.

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, SEPTEMBER 27, 2018.

[102]

JOURNAL OF THE HOUSE.

Thursday, September 27, 2018.

Met twelve minutes after eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

Loving and Gracious God, we give thanks today for the many blessings the Commonwealth of Massachusetts enjoys as we enter the season of Autumn and its accompanying harvests.

Prayer.

We pray for the legislators of this House and their staff. We pray too for the safety and welfare of the many visitors to this historic chamber.

We pray in thanksgiving for the courage and tenacity of an early patriot, Samuel Adams who was born on this day in Boston in 1722. Adams' efforts to make British taxation less oppressive to Massachusetts Bay and other American colonies gradually led him to promote independence from Britain. Adams went on to serve his home state as its fourth governor, succeeding John Hancock.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Prayer.

At the request of Ms. Ehrlich of Marblehead the members, guests and employees stood in a moment of silent tribute to the memory of David E. Namet of Swampscott.

Former House Counsel David E. Namet.

A graduate of Boston College and Boston College Law School, David served the House of Representatives with distinction as Assistant Counsel to the House from 1980 to 1988; Associate Counsel to the House from 1989 to 2000; Deputy Counsel to the House from 2001 to 2008; and Acting Counsel to the House of Representatives in the year 2009.

David is survived by his wife, Susan; their two sons, Matthew Namet and Kevin Namet, both of Swampscott; and many close and dear friends. He was the brother of the late Francis Namet.

Resolutions.

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

Resolutions (filed by Mr. Cabral of New Bedford and other members of the House) commending the Fishing Partnership on its celebration of Massachusetts Seafood Day;

Fishing Partnership.

Resolutions (filed by Mr. Roy of Franklin) congratulating Maxwell Ryan McGuire on receiving the Eagle Award of the Boy Scouts of America; and

Maxwell
McGuire.

Resolutions (filed by Mr. Roy of Franklin) congratulating Jared Oliver Winiker on receiving the Eagle Award of the Boy Scouts of America;

Jared
Winiker.

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

Petitions.

Mr. Koczera of New Bedford and Senator Montigny presented a joint petition of Robert M. Koczera and Mark C. Montigny for legislation to establish a sick leave bank for Susan Fermino, an employee of the Department of Mental Health; and the same was referred, under Rule 24, to the committee on Rules.

Susan
Fermino,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, reported that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Moran of Boston, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mr. Kafka of Stoughton presented a petition (accompanied by bill, House, No. 4918) of Louis L. Kafka, William C. Galvin and Walter F. Timilty (by vote of the town) that the town of Stoughton be authorized to appoint special police officers in said town; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Stoughton,—
special
police.

Petitions severally were presented and referred as follows:

By Mr. Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato, Christine P. Barber and Sean Garballey for legislation to provide for the conveyance of certain land owned by the Commonwealth in the city of Medford.

Medford,—
land.

By Mr. McMurtry of Dedham, a petition (subject to Joint Rule 12) of Paul McMurtry, John J. Lawn, Jr., and Joan Meschino relative to making changes to the motor vehicle “Right to Repair” law, so-called.

Right
to Repair.

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

Papers from the Senate.

A message from His Excellency the Governor (pursuant to Article II, Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating certain proceedings of the town of Concord (Senate, No. 2665), was referred, in concurrence, to the committee on Municipalities and Regional Government.

Concord,—
town
meeting.

A petition (accompanied by bill, Senate, No. 2664) of Patricia D. Jehlen, Denise Provost, Christine P. Barber and Mike Connolly (with approval of the mayor and city council) for legislation to amend the charter of the city of Somerville, was referred, in concurrence, to the committee on Municipalities and Regional

Somerville,—
charter.

Government.

Reports of Committees.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill providing for a Red Star/Blue Star license plate to survivors of firefighters and police officers who have died in the line of duty (House, No. 2762, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

License
plates,—
line of duty
survivors.

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

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

Subsequently, under further suspension of the rules, on motion of Mr. Frost of Auburn (Mr. Moran of Boston being in the Chair), the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: "An Act authorizing the Registrar of Motor Vehicles to issue a Red Star or Blue Star license plate to survivors of firefighters and police officers who have died in the line of duty." The bill (House, No. 2762, changed) then was sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill regarding the use of inserts to accompany municipal property tax bills in the city of Medford (House, No. 4848, changed) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Medford,—
tax bills.

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

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

Subsequently under further suspension of the rules, on motion of Mr. Frost of Auburn (Mr. Moran of Boston being in the Chair), the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act authorizing the city of Medford to designate a check-off on its municipal property tax bills."

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 1 and inserting in place thereof the following:

"SECTION 1. The city of Medford may designate a place on its municipal property tax bills, or mail with such municipal property tax bills a separate form, whereby taxpayers of the city may voluntarily check-off, donate or pledge an amount of money, which shall increase the amount otherwise due and which shall be used to assist in the construction or renovation of the buildings that serve the city of Medford police, fire or library departments."

The amendment was adopted; and the bill (House, No. 4848, amended) was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to the city of Methuen's petition to borrow to address the school budget deficit (House, No. 4905, changed) [Local Approval Received], ought to pass.

Methuen,—
school
budget.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Subsequently under further suspension of the rules, on motion of Mr. Frost of Auburn (Mr. Moran of Boston being in the Chair), the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act relative to the financial condition of the city of Methuen".

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 1 and inserting in place thereof the following section:

"SECTION 1. (a) As used in this act, the following terms shall, unless the context clearly requires otherwise, have the following meanings:—

'Chief administrative and financial officer', chief administrative and financial officer of the city of Methuen appointed pursuant to section 3.

'City', city of Methuen.

'Director of accounts', the director of accounts in the department of revenue.

'Finance control board', the finance control board for the city of Methuen created pursuant to section 10.

'Fiscal overseer' or 'overseer', fiscal overseer for the city of Methuen appointed by the secretary of administration and finance pursuant to section 8.

'Fiscal stability officer', fiscal stability officer for the city of Methuen appointed by the secretary of administration and finance pursuant to section 7.

'School committee', school committee of the city of Methuen.

'Secretary', the secretary of administration and finance.

(b) Notwithstanding any general or special law, city charter provision or local ordinance to the contrary, the city of Methuen, with the approval of the director of accounts, in the department of revenue, may borrow sums, approved by the city council and the director of accounts, to achieve a balanced budget for fiscal years 2019 and 2020; provided, however, that the aggregate of such sums shall not exceed \$4,000,000. The director of accounts may limit the amount borrowed to less than the amount approved by the city council. Notwithstanding chapter 44A of the General Laws, but subject to section 12 of said chapter 44A, bonds or notes issued for the purposes of this act may be issued, with the approval of the director of accounts, for a term of not more than 10 years and shall be backed by the full faith and credit of the city and shall be eligible to be issued as qualified bonds or notes. Indebtedness incurred pursuant to this act shall not be included in determining the statutory limit of indebtedness of the city under section 10 of chapter 44 of the General Laws, but, except as provided in this act, shall otherwise be subject to said chapter 44. Amounts raised to pay indebtedness incurred pursuant to this section shall be subject to section 21C of chapter 59 of the General Laws.

(c) The maturity of the bonds or notes authorized pursuant to this act, including any refunding bonds, may, if approved by the city officers authorized to issue and approve bonds or notes and by the director of accounts, be arranged so that for each issue the amounts payable in the several years for principal and interest combined are as nearly equal as is practicable in the opinion of the officers authorized to issue and approve the bonds or notes or, in the alternative, in accordance with a schedule providing for a more rapid amortization of principal.

(d) Proceeds of any bonds or notes authorized by this act shall be deposited in

the general fund of the city of Methuen.

(e) The director of accounts may establish rules and procedures relating to the accounting standards applicable to the city of Methuen for the purposes of this act and otherwise.”

The amendment was adopted.

The same member then moved to amend the bill in section 2, in lines 45 and 46, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “The screening committee shall be formed not later than 21 days after the notice is sent.”, in line 54, by inserting after the word “the”, the second time it appears, the word “screening”, in line 143, by striking out the word “officers” and inserting in place thereof the word “offices”; in section 3 (as published), in line 163, by inserting after the year: “2019” the following: “, not later than 10 days after the effective date of this act,”, in line 165, by striking out the words “Methuen, or” and inserting in place thereof the words “Methuen or”; in section 7 (as published), in line 296; and in section 9 (as published), in line 376, by inserting after the word “department”, in each instance, the words “on or after the effective date of this act.”

The amendments were adopted; and the bill (House, No. 4905, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill Groton charter [sic] (House, No. 4893) [Local Approval Received], be scheduled for consideration by the House.

Groton,—
charter.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Ayer to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4907) [Local Approval Received], be scheduled for consideration by the House.

Ayer,—
liquor
license.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Marco Adorno, an employee of the Massachusetts Department of Transportation (see Senate, No. 2634), 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.

Marco
Adorno,—
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 6 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Establishing a sick leave bank for Pamela Lopez, an employee of the Department of Developmental Services (see Senate, No. 2550) (which originated in the Senate);

Bills enacted.

Establishing a sick leave bank for Paul Walsh, an employee of the Department of Correction (see House, No. 4452, amended);

Establishing a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families (see House, No. 4896, amended); and

Establishing a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health (see House, No. 4897);

(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

Relative to the General Lafayette Trail (see Senate, No. 2265);

Bills enacted.

Authorizing the city of Worcester to convey a certain parcel of land (see Senate, No. 2629);

(Which severally originated in the Senate);

Authorizing the town of Falmouth to continue the employment of police chief Edward Dunne (see House, No. 4548); and

Authorizing the town of Andover to establish a means-tested senior citizen property tax exemption (see House, No. 4661);

(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 amendment of the House Bill authorizing the town of Brookline to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises in certain target commercial areas (House, No. 4428, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Brookline,—
liquor
licenses.

Recess.

At twenty-six minutes before twelve o'clock noon, on motion of Mr. Frost of Auburn (Mr. Kafka of Stoughton being in the Chair), the House recessed subject to the call of the Chair; and at twenty-one minutes after two o'clock P.M. the House was called to order with Mr. Moran of Boston in the Chair.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-seven minutes after two o'clock P.M., on motion of Mr. Frost of Auburn (Mr. Moran of Boston being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, OCTOBER 1, 2018.

[103]

JOURNAL OF THE HOUSE.

Monday, October 1, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Justice and Fairness, we pray today for all our elected officials as they work together for the creation of fair and just legislation. We are grateful for the many accomplishments of fellow citizens who called Massachusetts home.

Prayer.

We lift up in honor Ms. Maria Mitchell of Nantucket who on this day in 1847 discovered a comet.

An amateur astronomer at the time, her discovery led to fame. She became the first professor at Vassar College where the founder, Matthew Vassar, had an observatory built for Ms. Mitchell. She became the first woman to work as a professional astronomer and was the first woman to become a member of the American Academy of Arts and Sciences. She went on to support the Women's movement of the 19th century, serving for a time as president of the American Association for the Advancement of Women.

May God continue to bless our Commonwealth.

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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Dooley of Norfolk) congratulating Benjamin Lewis Rothstein on receiving the Eagle Award from the Boy Scouts of America, were referred under Rule 85, to the committee on Rules.

Benjamin Rothstein.

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

Paper from the Senate.

The following notice was received from the Clerk of the Senate, to wit:—

September 28, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House

Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Bruce E. Tarr, Senate Minority Leader, has announced the following appointments:

Senator Patrick M. O'Connor (pursuant to Section 31 of Chapter 219 of the Acts of 2018) to the Special Commission on the mandated reporting of known or suspected animal cruelty and abuse of child, the elderly and disabled persons; and

Sergeant Neal S. Hovey of Danvers (pursuant to Section 104 of Chapter 208 of the acts of 2018) as his designee to the section 35 involuntary commitment commission to study the efficacy of involuntary inpatient treatment for non-court involved individuals diagnosed with substance use disorder.

Children and animals,—
abuse reporting.

Involuntary
commitment,—
commission.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 Fernandes and Julian Cyr relative to authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. Under suspension of the rules, on motion of Mr. Tucker of Salem, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education. Sent to the Senate for concurrence.

Martha's
Vineyard,—
land.

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill relative to the proper bonding and grounding of CSST (House, No. 4877), be scheduled for consideration by the House.

Piping,—
inspection.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the town of West Boylston as the Spc. Kyle A. Little memorial bridge (House, No. 4904).

West
Boylston,—
Little bridge.

By the same member, for the same committee, on a petition, a Bill renaming the Weld Street Exit on Route 18 (House, No. 4912).

New Bedford,—
Giammalvo
exit.

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

Engrossed Bills.

Engrossed bills

Authorizing the town of Brookline to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises in certain target commercial areas (see House, No. 4428, amended);

Bills
enacted.

Amending the charter of the town of Westborough to provide for an information technology director (see House, No. 4444);

Establishing an appointed highway superintendent in the town of Groveland (see House, No. 4620); and

Revising the charter of the town of North Reading (see House, No. 4690);
(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 authorizing the town of Southamptton to acquire certain easement interests for a pumping station in the city of Easthampton (Senate, No. 2581) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third reading bill.

House bills

Authorizing the city of Somerville to offer an exemption for certain owner occupied residential properties for water and sewer charges and rates (House, No. 4309);

Third reading bills.

Relative to raising the income threshold for senior real property tax deferments in the town of Brookline (House, No. 4847); and

Authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4908);

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. DeLeo of Winthrop,—

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

Next sitting.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, OCTOBER 4, 2018.

[104]

JOURNAL OF THE HOUSE.

Thursday, October 4, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Justice and Righteousness, we pray in gratitude for our legislators and their staff who day after day serve our Commonwealth. We pray for their efforts in crafting laws for Massachusetts as we remember that it was on this day in 1636 the leaders of Plimouth [sic] colony wrote the first code of laws in America. These were known as "The General Fundamentals".

The legal code included a simple bill of rights and guaranteed trial by jury. The General Court of Plimouth [sic] colony levied taxes, decreed the distribution of land and set out punishments for certain crimes. Several crimes carried the death penalty including witchcraft, adultery and cursing one's parents. The use of profanity was to be punished by no more than three hours in the stock and if one traveled, worked or participated in sports on the Sabbath the person earned either a fine of 40 shillings or a whipping.

God of Truth, we are grateful for the wisdom of today's General Court in the greater leniency and liberality exhibited in its legislation.

May God continue to bless our Commonwealth.

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.

Announcements of the Speaker.

The Speaker announced that he had made the following appointments:

That Representative Dykema of Holliston had been appointed to the juvenile justice policy and data board established (under Section 80 of Chapter 69 of the Acts of 2018) to evaluate policies and procedures related to the juvenile justice system;

That Representative Balsler of Newton had been appointed to the special commission established (under Section 219 of Chapter 69 of the Acts of 2018) to study the prevention of suicide among correction officers in Massachusetts correctional facilities;

That Representative Cronin of Easton had been appointed to the bail reform special commission established (under Section 220 of Chapter 69 of the Acts of 2018) to evaluate policies and procedures related to the current bail system and recommend improvements or changes;

That Representative Gordon of Bedford had been appointed to the restoration center commission in the former county of Middlesex established (under Section 225 of Chapter 69 of the Acts of 2018) to plan and implement a county restoration

Prayer.

Pledge of allegiance.

Juvenile justice policy and data board.

Correction officers,—suicide.

Bail reform.

Middlesex County,—mental illness

center and program to divert persons suffering from mental illness or substance use disorder who interact with law enforcement or the court system during a pre-arrest investigation or the pre-adjudication process from lock-up facilities and hospital emergency departments to appropriate treatment;

diversions, etc.

That Representative Peisch of Wellesley had been appointed to the special commission established (under Section 77 of Chapter 154 of the Acts of 2018) to make recommendations to improve efficiencies relative to transportation for students attending regional schools; students in special education out of district placements; students attending out of district vocational and technical schools; and students attending out of district agricultural schools; and any other student transportation the commission deems appropriate; and

Students,—
transportation.

That Representative Ultrino of Malden had been relieved of duty (at his own request) from the special commission on local and regional public health established (under Chapter 3 of the Resolves of 2016) to assess the effectiveness and efficiency of municipal and regional public health systems and to make recommendations regarding how to strengthen the delivery of public health services and preventive measures.

Municipal
and regional
public health
systems.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, a group of students and their teachers from Israel. They were the guests of Mr. Madaro of Boston.

Israel,—
students.

Resolutions.

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

Resolutions (filed by Speaker DeLeo of Winthrop) celebrating the seventy-fifth anniversary of the commissioning of the USS Cassin Young, DD-793;

USS Cassin
Young.

Resolutions (filed by Mr. Hill of Ipswich) recognizing Charlie Daniels for his dedicated service to our soldiers and veterans;

Charlie
Daniels.

Resolutions (filed by Mr. Cutler of Duxbury and other members of the House) recognizing October 5, 2018 as Energy Efficiency Day in the Commonwealth;

Energy
Efficiency Day.

Resolutions (filed by Mr. Day of Stoneham) commending Cameron Bain for his extraordinary efforts in advocating for the Tri-Community Greenway;

Cameron
Bain.

Resolutions (filed by Representatives Gregoire of Marlborough and Gentile of Sudbury) commemorating the twentieth anniversary of the Marlborough-Akiruno sister city partnership;

Marlborough-
Akiruno sister
city partnership.

Resolutions (filed by Mr. Kulik of Worthington and other members of the House) congratulating Doctor David A. Tebaldi on his retirement as Executive Director of the Massachusetts Foundation for Humanities and Public Policy, or Mass Humanities;

David
Tebaldi.

Resolutions (filed by Mr. Naughton of Clinton) recognizing the two hundred seventy-fifth anniversary of the First Congregational Church of Boylston; and

Boylston,—
church.

Resolutions (filed by Mr. Vega of Holyoke) honoring John J. Driscoll on the occasion of his being named the William G. Dwight Award winner by the Holyoke Rotary Club;

John
Driscoll.

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

Communication.

A communication from the Division of Energy Resources of the Executive Office of Energy and Environmental Affairs (under the provisions of section 12 of Chapter 25A of the General Laws) submitting amendments to 225 CMR 13, DOER CO₂ Budget Trading Program Auction Regulation (RGGI Auction Regulations) (House, No. 4920), was referred to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

Division of Energy Resources,— regulations.

Annual Reports

Annual reports

Of the Cannabis Control Commission (under Section 31 of Chapter 55 of the Acts of 2017) on the commission's activities regarding the adult-use marijuana program;

Adult-use marijuana program.

Of the Department of Mental Health (under Section 16F of Chapter 6A of the General Laws) submitting its individual and family support plan for fiscal year 2019;

Individual and family support plan.

Of the Group Insurance Commission (under Section 21 of Chapter 32A of the General Laws) relative to the vendor quality improvement initiative of said commission for the fiscal year 2018;

Vendor quality.

Of the Massachusetts Legal Assistance Corporation (under Section 10 of Chapter 221A of the General Laws) for fiscal year 2018; and

Legal assistance.

Of the Pioneer Valley Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Pioneer Valley Transit Authority.

Severally were placed on file.

Petition.

Ms. Higgins of Leominster presented a petition (accompanied by bill, House, No. 4924) of Natalie Higgins (with the approval of the mayor and city council) relative to special police officers in the city of Leominster; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Leominster,— special police officers.

Paper from the Senate.

A petition (accompanied by bill) of Harriette L. Chandler and James J. O'Day for legislation to establish a sick leave bank for Richard Maynard, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Richard Maynard,— sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2668) was referred, in concurrence, to the committee on the Judiciary.

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 petition of Paul J. Donato, Christine P. Barber and Sean Garballey for legislation to provide for the conveyance of certain land owned by the Commonwealth in the city of Medford. 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 State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Medford,—
land.

Report of the committee on Election Laws, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4657) of Josh S. Cutler and Michael D. Brady (by vote of the town) relative to the recall of elected officials in the town of Hanson.

Hanson,—
elected
officials.

Under suspension of the rules, on a motion of Mr. Garballey of Arlington, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Mahoney of Worcester.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Senate Bill relative to students with dyslexia (Senate, No. 2607), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Students,—
dyslexia.

Mr. Murphy of Weymouth, for said committee, reported that the matter be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Resolve reviving and further continuing the special commission established to investigate and report on the preservation of Polish culture and history in the Pioneer Valley (House, No. 4543), ought to pass with an amendment substituting therefor a resolve with the same title (House, No. 4922). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Pioneer
Valley,—
Polish culture.

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the resolve was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted resolve was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the resolve (having been 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. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to the health insurance and other benefits in the town of East Brookfield (House, No. 4763) [Local Approval Received], ought to pass with an amendment

East
Brookfield,—
benefits.

substituting therefor a bill with the same title (House, No. 4921) [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain bridge in the town of West Boylston as the Spc. Kyle A. Little memorial bridge (House, No. 4904) [Local Approval Received], be scheduled for consideration by the House.

West
Boylston,—
Little bridge.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the city of Chicopee to establish a water and sewer department (House, No. 4914) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Chicopee,—
water and
sewer.

Emergency Measures.

The engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth (see House bill printed in House, No. 4890), 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.

Environmental
and economic
bonds,—
terms.

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 sent to the Senate.

Bill
enacted.

The engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth (see House bill printed in House, No. 4891), 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.

Transportation
bond,—
terms.

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 sent to the Senate.

Bill
enacted.

Engrossed Bill.

The engrossed Bill authorizing the town of Southampton to acquire certain

Bill

easement interests for a pumping station in the city of Easthampton (see Senate, No. 2581) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

enacted.

Orders of the Day.

House bills

Establishing the uniform enforcement of foreign judgments (House, No. 718) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

Exempting the position of part-time officer in the police department in the town of Athol from the civil service law (House, No. 4146) (its title having been changed by the committee on Bills in the Third Reading); and

Reducing the membership of the Nantucket Planning & Economic Development Commission (House, No. 4819) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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. DeLeo of Winthrop,—

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

Next sitting.

Representatives Mirra of West Newbury and Lyons of Andover then moved that when the House adjourns today, it do so in respect to the memory of Robert G. Buell, a member of the House from Boxford from 1969 to 1978, inclusive, and a member of the Senate from 1979 to 1995, inclusive; and the motion prevailed.

Accordingly, at one minute before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, OCTOBER 9, 2018.

[105]

JOURNAL OF THE HOUSE.

Tuesday, October 9, 2018.

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.

Resolutions.

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

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Robert Warren Adam on receiving the Eagle Award from the Boy Scouts of America;

Robert
Adam.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Robert Patrick Murphy on receiving the Eagle Award from the Boy Scouts of America;

Robert
Murphy.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Keith William Rankin on receiving the Eagle Award from the Boy Scouts of America;

Keith
Rankin.

Resolutions (filed by Ms. Keefe of Worcester) honoring Frank T. Kartheiser for twenty-five years as lead organizer for Worcester Interfaith;

Frank
Kartheiser.

Resolutions (filed by Mr. McKenna of Webster) commemorating the one hundredth birthday of Leo E. DiDonato; and

Leo
DiDonato.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Robert Dean Freeman on receiving the Eagle Award of the Boy Scouts of America;

Robert
Freeman.

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

Petition.

Messrs. Whelan of Brewster and Crocker of Barnstable presented a petition (subject to Joint Rule 12) of Timothy R. Whelan, William L. Crocker, Jr., and others for legislation to establish the DHY clean waters community partnership, an inter-municipal agreement for waste water management in the towns of Dennis, Harwich, and Yarmouth; and the same was referred, under Rule 24, to the committee on Rules.

Cape Cod,—
waste water
management.

Papers from the Senate.

The House Bill releasing a restriction on certain property in the town of Webster (House, No. 4122), came from the Senate passed to be engrossed, in

Webster,—
land.

concurrence, with an amendment in section 1, in line 2, striking out the word “shall” and inserting in place thereof the word “may”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill revising the charter for the city of Melrose (House, No. 4464) (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 all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2667. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Melrose,—
charter.

A Bill establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (Senate, No. 2661) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Richard
Perry,—
sick leave.

A petition (accompanied by bill, Senate, No. 2666) of Adam G. Hinds and John Barrett (with approval of the mayor and city council) for legislation to exempt all positions in the police department of the city of North Adams from the civil service law, was referred, in concurrence, to the committee on Public Service.

North Adams,—
civil service.

Reports of Committees.

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

Authorizing the board of selectmen of the town of Arlington to place upon a town ballot a question to increase the number of licenses for all alcoholic beverages not to be drunk on the premises (House, No. 4892) [Local Approval Received]; and

Arlington,—
liquor
licenses.

Relative to real property tax deferrals in the town of Arlington (House, No. 4916) [Local Approval Received];

Arlington,—
tax deferrals.

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. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 4910 and 4917, a Bill designating a bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge (House, No. 4917). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dalton,—
Daehling
bridge.

Engrossed Bill.

The engrossed Bill relative to students with Dyslexia (see Senate, No. 2607) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The engrossed Bill supporting the Mohawk Trail Woodland Partnership (see

Mohawk Trail

House, No. 4880), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment B of House, No. 4884), was considered.

Woodland
Partnership.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“To capitalize the Mohawk Trail Woodland Partnership Fund established in section 89 of chapter 209 of the acts of 2018 and support the goals of the Mohawk Trail Woodland Partnership, the partnership may receive funds from general appropriations, capital expenditure authorizations, grants or a combination thereof; provided, however, that upon any monies from any source being credited to the fund, meetings of the partnership board and its executive committee shall be subject to sections 18 to 25, inclusive, of chapter 30A of the General Laws and all officers, directors, and agents of the partnership, including all officers, directors and employees of any administrative agent or fund manager designated by said partnership under paragraph (6) of subsection (e) of section 91 of chapter 209 of the acts of 2018, shall, in connection with their service for the partnership: (i) comply with all applicable state finance laws; (ii) be considered officers or employees of an agency, commission or authority of the commonwealth for purposes of clause Twenty-sixth of section 7 of chapter 4 of the General Laws; and (iii) be considered special state employees for purposes of chapter 268A of the General Laws.”

The report was accepted. The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

The House Bill relative to fees assessed by the Dracut Water Supply District (House, No. 4898), 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. Sent to the Senate for concurrence.

Third
reading
bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At six minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, OCTOBER 11, 2018.

[106]

JOURNAL OF THE HOUSE.

Thursday, October 11, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

We pray in thanksgiving for the medical advances that have been produced here in Massachusetts. We remember that tomorrow marks the 90th anniversary of the first use of the invention commonly known as the "iron lung". At Children's Hospital in Boston a little girl whose lungs were paralyzed by polio was placed inside a 700-pound metal device that breathed for her. This device created by Harvard physician Philip Drinker, kept patients alive after their lungs became paralyzed by the polio virus. The development of the polio vaccine brought an end to the regular use of this life-saving machine.

Prayer.

We pray for the efforts of the medical community today to combat the new strain of a polio myelitis-like virus that has recently manifested itself in the Midwest region of our country.

May God continue to bless our Commonwealth.

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.

Appointments of the Speaker.

The Speaker announced that he had made the following appointments:

That Representative Peake of Provincetown had been appointed to the regional transit authority performance and funding task force established (under Section 72 of Chapter 154 of the Acts of 2018) to evaluate how regional transit authorities can best provide and improve transit services that meet identified community needs; conduct regular service planning, recognizing the diverse service populations and makeup of different geographic regions, that maximizes ridership using available resources; and ensure that fares, local contributions and other own-source revenues cover an appropriate share of service costs;

Regional transit task force.

That Representatives Peisch of Wellesley and Barber of Somerville, and Ms. Michele Lisio had been appointed to the early education and care workforce council established (under Section 79 of Chapter 154 of the Acts of 2018) to make recommendations on improving and enhancing professional development and higher education opportunities necessary for the growth and stability of a high quality early education and care workforce; and

Early education and care workforce council.

That Representatives Fiola of Fall River had been appointed to the addiction recovery coach commission established (under Section 101 of Chapter 208 of the Acts of 2018) to review and make recommendations regarding recovery coaching in the Commonwealth.

Addiction recovery coach commission.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating Mr. and Mrs. Richard Driscoll on the occasion of their fiftieth wedding anniversary;

Richard and
Joan Driscoll.

Resolutions (filed by Mr. Linsky of Natick) on the occasion of the dedication of White Square in the town of Natick;

Natick,—
White Square.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Noah Rosenthal on receiving the Eagle Award of the Boy Scouts of America;

Noah
Rosenthal.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Ryan Rosenthal on receiving the Eagle Award of the Boy Scouts of America; and

Ryan
Rosenthal.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Meghan Conlon Jop for her dedicated service to the town of Wellesley;

Meghan
Jop.

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

Communications.

Communications

From the Massachusetts Port Authority (see item 6720-1340 of Section 2C of Chapter 219 of the Acts of 2016) submitting the annual report for fiscal year 2018 [a copy of the report was forwarded to the committee on Bonding, Capital Expenditures and State Assets, as required by said law];

Port
Authority.

From the Norfolk County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law];

Norfolk
County,—
technology
fund.

From the Plymouth County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law]; and

Plymouth
County,—
technology
fund.

From the Plymouth County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law];

Id.

Severally were placed on file.

Reports.

Reports

From the Berkshire Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary

Berkshire
Regional

information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Transit.

From the Brockton Area Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018; and

Brockton
Area
Transit.

From the Cape Ann Transportation Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018; and

Cape Ann
Transportation.

Of the Department of Mental Health (under Section 9 of Chapter 321 of the Acts of 2008) submitting the annual report of the Children's Behavioral Health (CBH) Advisory Council;

Children's
behavioral
health.

Severally were placed on file.

Petition.

Representative Decker of Cambridge and Senator DiDomenico presented a joint petition (accompanied by bill, House, No. 4926) of Marjorie C. Decker and Sal N. DiDomenico (with the approval of the city council) that the city of Cambridge be authorized to amend the fair housing code in said city; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Cambridge,—
housing
code.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2669) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation relative to the granting of alcoholic beverages licenses not to be consumed on the premises by the town of Rockport, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Rockport,—
liquor
licenses.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill authorizing and directing the retirement board of the town of Weymouth to pay a certain retirement benefit to the surviving spouse of fallen officer, Michael Chesna, of the Weymouth Police Department (House, No. 4915) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Weymouth,—
Michael
Chesna.

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

Under suspension of the rules, on motion of Mr. Walsh of Peabody, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Mr. Wong of Saugus, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act relative to a certain retirement benefit to be paid to the surviving spouse of fallen officer, Michael Chesna, of the Weymouth Police Department .".

Pending the question on passing the bill to be engrossed, Mr. Murphy of Weymouth moved to amend it by substitution of a bill with the same title (House, No. 4928), which was read.

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

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Senate Bill relative to the used vehicle record book (Senate, No. 2269), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Used
vehicles,—
record book.

Mr. Murphy of Weymouth, for said committee, reported that the matter be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on motion of Mr. D'Emilia of Bridgewater, the bill (having been 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.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill modernizing the credit union laws (House, No. 4612), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Credit
union laws.

Mr. Murphy of Weymouth, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. D'Emilia of Bridgewater, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Murphy of Weymouth, 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 Richard G. Perry, an employee of the Department of Conservation and Recreation (Senate, No. 2661); and

Richard
Perry,—
sick leave.

The House Bill authorizing the city of Chicopee to establish a water and sewer department (House, No. 4914) [Local Approval Received];

Chicopee,—
water and sewer
department.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill renaming the Weld Street Exit on Route 18 (House, No. 4912), be scheduled for consideration by the House.

New Bedford,—
Weld Street.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the appointment of special police officers in the town of Stoughton (House, No. 4918) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Stoughton,—
special police.

Engrossed Bill.

The engrossed Bill providing for the annual appointment of a treasurer of the Lancaster sewer district (see House, No. 3217, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill relative to boards and commissions of the city of Boston (House, No. 4086) was read a third time.

Third reading
bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 4927); and the report was accepted.

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

The House Bill authorizing the town of Williamsburg to continue the employment of fire department members Alan Everett and Robert Lapointe (House, No. 4703), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Williamsburg,—
Alan Everett
and Robert
Lapointe.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1 by adding the following sentence: "Upon retirement, Alan Everett shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired at the age of 65."; and in section 2 by adding the following sentence: "Upon retirement, Robert Lapointe shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired at the age of 65.".

The amendments were adopted; and the bill (House, No. 4703, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the appointment of retired Salem police officers as special police officers within the city of Salem (House, No. 4705) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Salem,—
special
police.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 10, in lines 45 and 46, by striking out the words "has discretion over the appointment and removal of special officers appointed under this act and".

The amendment was adopted; and the bill (House, No. 4705, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-six minutes before twelve o'clock noon, on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, OCTOBER 15, 2018.

[107]

JOURNAL OF THE HOUSE.

Monday, October 15, 2018.

Met at eight minutes after eleven o'clock A.M., in an Informal Session, with Mr. Moran of Boston 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. Moran of Boston), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Guests of the House.

During the session, the Chair (Mr. Moran of Boston), declared a brief recess and introduced seniors from the Westwood and Dedham councils on aging, who were seated in the House Chamber. They were the guests of Mr. McMurtry of Dedham.

Dedham and
Westwood,—
councils
on aging.

Resolutions.

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

Resolutions (filed by Ms. Gifford of Wareham) celebrating the one hundred and fiftieth anniversary of the Church of the Good Shepard;

Church of the
Good Shepard.

Resolutions (filed by Mr. Barrett of North Adams) congratulating Congregation Beth Israel on the occasion of its one hundred and twenty-fifth anniversary;

Congregation
Beth Israel.

Resolutions (filed by Mr. Crocker of Barnstable) congratulating Pricilla Wilson Tulloch Tangvik on the celebration of her one hundredth birthday;

Pricilla
Tangvik.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Ian Daniel Gipson on receiving the Eagle Award from the Boy Scouts of America;

Ian
Gipson.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Justin George Plakias on receiving the Eagle Award from the Boy Scouts of America;

Justin
Plakias.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Eric Robert Plumb on receiving the Eagle Award from the Boy Scouts of America; and

Eric
Plumb.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Caillian Jeremiah Sheehy on receiving the Eagle Award from the Boy Scouts of America;

Caillian
Sheehy.

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

Communication.

A communication from the Department of Public Health (see sections 67A and 67C of Chapter 111 of the General Laws) submitting a report on the status of premature and high risk infants and programs for the prevention, care, and follow-up of premature and other designated high risk infants and establishing criteria for services to be provided, entitled “Preterm Hospital Discharge and Quality Improvement”, was placed on file.

Hospitals,—
high risk
infants.

Petition.

Representative Garballey of Arlington and Senator Friedman presented a joint petition (accompanied by bill, House, No. 4931) of Sean Garballey and Cindy F. Friedman (by vote of the town) relative to the town manager of the town of Arlington; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Arlington,—
town
manager.

Papers from the Senate.

A Bill validating certain proceedings of the town of Concord (printed in Senate, No. 2665) (on a message from His Excellency the Governor), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Concord,—
town
meeting.

The following notice was received from the Clerk of the Senate, to wit:—

October 15, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Karen E. Spilka, President of the Senate, has announced the following appointments:

Senator Adam G. Hinds (pursuant to Section 77 of Chapter 154 of the Acts of 2018) to the Special Commission on improving efficiencies in student transportation; and

Student
transportation
commission.

Senate President Emerita Harriette L. Chandler (pursuant to Section 72 of Chapter 154 of the Acts of 2018) to the Task Force on regional transit authority performance and funding; and

Regional
transit
task force.

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced the following appointments:

Senator Richard J. Ross (pursuant to Section 1 of Chapter 226 of the Acts of 2014) to the Commission of Autism (his constituent services director Matthew Reagan, when necessary, will represent him on the commission);

Autism
commission.

Mr. Brian Forget, Superintendent of the Triton Regional School District (pursuant to Section 77 of Chapter 154 of the Acts of 2018) to the Special

Student
transportation

Commission on improving efficiencies in student transportation; and
Dr. George Beilin (pursuant to Section 1 of Chapter 208 of the Acts of 2018) of
to the Commission on Community Behavioral Health Promotion and Prevention.

commission.
Behavioral
health
commission.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

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 James Arciero for legislation to establish a
student loan forgiveness program within the Massachusetts Educational Financing
Authority. To the committee on Higher Education.

Student loans,—
forgiveness.

Petition (accompanied by resolve) of James Arciero for an investigation and
study by a special commission (including members of the General Court) relative to
enhanced school safety. To the committee on Public Safety and Homeland Security.

School safety,—
study.

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

Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No.
4758, reported, in part, a Bill making appropriations for the fiscal year 2018 to
provide for supplementing certain existing appropriations and for certain other
activities and projects (House, No. 4930) [Total appropriation: \$540,353,183.00].
Read; and referred, under Rule 7A, to the committee on Steering, Policy and
Scheduling.

Supplemental
appropriations.

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

Under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill
was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of the same
member, the bill (having been reported by the committee on Bills in the Reading to
be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mrs. Poirier of North
Attleborough moved to amend it in section 2, in item 4800-0041, in line 49, by
adding the following: “provided further, that not less than \$100,000 shall be
expended for the Children’s Advocacy Center in Bristol County”; and the
amendment was rejected.

The same member then moved to amend the bill in section 2 by adding the
following item:

“9110-9002 To provide transportation to low income seniors for medical
appointments related to chemotherapy or dialysis.....\$30,000”.

The amendment was rejected.

The bill (House, No. 4930) then was passed to be engrossed. Sent to the Senate
for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and
Scheduling, that the House Bill designating a bridge in the town of Dalton as the

Dalton,—
Daehling
bridge.

Specialist Mitchell K. Daehling memorial bridge (House, No. 4917), be scheduled for consideration by the House.

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

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 4903, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of a certain House document concerning dangerousness (House, No. 4929). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Judiciary,—
study.

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.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for G. Scott Angelo, an employee of the Trial Court (see House, No. 4909), 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.

Scott
Angelo,—
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 6 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Relative to the used vehicle record book (see Senate, No. 2269) (which originated in the Senate); and

Bills
enacted.

Relative to certain affordable housing in the Roxbury section of the city of Boston (see House, No. 4288) (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 Bill establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (Senate, No. 2661), 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 the membership of the conservation commission of the town of Charlton (House, No. 4805);

Establishing a sick leave bank for Michael Tucker, an employee of the

Third
reading
bills.

Department of State Police (House, No. 4911);

Designating a certain exit on State Route 18 the Giammalvo family memorial exit (House, No. 4912) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to real property tax deferrals in the town of Arlington (House, No. 4916);

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.

Paper from the Senate.

The House Bill making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4930), came from the Senate passed to be engrossed, in concurrence, with amendments in section 67, in lines 741 and 742, striking out the following: "New England Police Benevolent Association, Local 500, Unit SM5" and inserting in place thereof the following: "Middlesex Sheriff's Superior Officers Association, Unit SM4"; and

Supplemental
appropriations.

In lines 779 to 783, inclusive, striking out the text contained in those lines and inserting in place thereof the following:

"(47) between the University of Massachusetts and the International Brotherhood of Teamsters, Local 25, Lowell Campus, Unit L94;

(48) between the University of Massachusetts and the Service Employees International Union, Local 888, Unit L95;

(49) Between the Commonwealth of Massachusetts and the National Association of Government Employees, Units 1, 3, and 6;

(50) Between the Commonwealth of Massachusetts and the New England Police Benevolent Association, Unit 4a;

(51) Between the Sheriff of Barnstable County and the National Association of Government Employees, Local 220;

(52) Between the Sheriff of Barnstable County and the Barnstable County Correctional Officers Union;

(53) Between the Sheriff of Barnstable County and the National Correctional Employees Union, Local 122;

(54) Between the Sheriff of Barnstable County and the American Federation of State, County and Municipal Employees, Local 1462;

(55) Between the Sheriff of Barnstable County and the International Brotherhood of Correctional Officers, Local 217;

(56) Between the Sheriff of Berkshire County and the Berkshire County Sheriff's Office Employee Association;

(57) Between the Sheriff of Franklin County and the National Correctional Employees Union, Local 106;

(58) Between the Sheriff of Plymouth County and Association of County Employees;

(59) Between the Sheriff of Plymouth County and the National Correctional Employees Union, Local 301;

(60) Between the Sheriff of Plymouth County and the National Correctional Employees Union, Local 104;

(61) Between the Sheriff of Plymouth County and the Massachusetts

Correction Officers Federated Union Bureau of Criminal Investigation;

(62) Between the Sheriff of Suffolk County and the American Federation of State, County and Municipal Employees, Local 419;

(63) Between the Sheriff of Suffolk County and the American Federation of State, County and Municipal Employees, Local 3967; and

(64) Between the Sheriff of Worcester County and the National Association of Government Employees, Local R1-255.”.

The Senate amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn; and they were adopted, in concurrence.

Recess.

At twenty-one minutes before four o'clock, the Chair (Mr. Moran of Boston) declared a recess subject to the call of the Chair; and at eleven minutes before four o'clock the House was called to order with Mr. Moran of Boston in the Chair.

Recess.

Emergency Measure.

The engrossed Bill making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4930, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered.

Supplemental appropriations.

Pending the question on adoption of the emergency preamble, Mrs. Poirier of North Attleborough moved that Rule 40 be suspended; and the motion was negatived.

Motion to suspend Rule 40 negatived.

On the question on adoption of the emergency preamble, 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 2 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 sent to the Senate.

Bill enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At ten minutes after four o'clock P.M., on motion of Mrs. Poirier of North Attleborough (Mr. Moran of Boston being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, OCTOBER 18, 2018.

[108]

JOURNAL OF THE HOUSE.

Thursday, October 18, 2018.

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.

Guests of the House.

During the session, the Chair (Mr. Donato), declared a brief recess and introduced individuals from The Literacy Center in Attleboro, who were seated in the House Chamber. They were the guests of Mrs. Poirier of North Attleborough.

Attleboro,—
The Literacy
Center.

Appointments of the Speaker.

The Speaker announced that he had made the following appointments:

That Ms. Dimple Rana of Revere had been appointed (under Section 68 of Chapter 3 of the General Laws) to the permanent Commission on the Status of Citizens of Asian Descent;

Asian
American
Commission.

That Representative Garballey of Arlington had been appointed (under Section 5(a) of Chapter 276B of the General Laws, inserted by Section 202 of Chapter 69 the Acts of 2018) to the restorative justice advisory committee to review community-based restorative justice programs;

Restorative
justice.

That Representative Livingston of Boston had been appointed (under Section 217(a) of Chapter 69 of the Acts of 2018) to the special commission established pursuant to Section 2A of Chapter 4 of the General Laws to conduct a study on the ability of a defendant to pay fines and fees;

Defendants,—
fines and
fees.

That Representative Tucker of Salem had been appointed (under Section 221(a) of Chapter 69 of the Acts of 2018) to the task force established to examine and study the treatment and impact of individuals ages 18 to 24 in the court system and correctional system;

Young
adults,—
judicial
system.

That Representative Ashe of Longmeadow had been appointed (under Section 103 of Chapter 154 of the Acts of 2018) to the special commission, governed by Section 2A of Chapter 4 of the General Laws, established to study the financial and economic impacts of crumbling concrete foundations due to the presence of pyrrhotite; and

Concrete
foundations,—
pyrrhotite.

That Representative Cullinane of Boston had been appointed (under Section 1 of Chapter 208 of the Acts of 2018) to the commission on community behavioral health promotion and prevention.

Behavioral
health
commission.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating Helena “Mickey” Crocker on the occasion of her ninetieth birthday;

Helena
Crocker.

Resolutions (filed by Mr. Arciero of Westford) congratulating Terry M. Stader of Westford on the occasion his retirement;

Terry
Stader.

Resolutions (filed by Mr. Kafka of Stoughton) commending the American Chemical Society on its celebration of the National Chemistry Week;

Chemistry
Week.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Matthew John Fitzgerald on receiving the Eagle Award from the Boy Scouts of America;

Matthew
Fitzgerald.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Nicholas Simon on receiving the Eagle Award from the Boy Scouts of America; and

Nicholas
Simon.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Jack Sweeney on receiving the Eagle Award from the Boy Scouts of America;

Jack
Sweeney.

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

Report.

A report from the Office of the State Auditor (under Section 17 of Chapter 11 of the General Laws) submitting its quarterly report of the Bureau of Special Investigations from April 1, 2018 to June 30, 2018, was placed on file.

Bureau of
Special
Investigations.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4932) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Harwich be authorized to issue three additional licenses for the sale of all alcoholic beverages to be consumed on premises. To the committee on Consumer Protection and Professional Licensure.

Harwich,—
liquor
licenses.

By Representative Wagner of Chicopee and Senator Lesser, a joint petition (accompanied by bill, House, No. 4933) of Joseph F. Wagner, Eric P. Lesser and others (with the approval of the mayor and city council) relative to the retirement benefits of certain employees of the city of Chicopee. To the committee on Public Service.

Chicopee,—
retirement
benefits.

Severally sent to the Senate for concurrence.

Paper from the Senate.

A Bill creating senior tax relief in the town of Carver (Senate, No. 2670) (on Senate bill No. 2619), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Carver,—
senior
tax relief.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the appointment of special police officers in Stoughton (House, No. 4918) [Local Approval Received], be scheduled for consideration by the House.

Stoughton,—
special
police.

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

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a joint petition, a Bill providing for the recall of elected officials in the town of Hanson (House, No. 4657) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hanson,—
elected
officials.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (see Senate, No. 2661), 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.

Richard
Perry,—
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.

Orders of the Day.

The Senate amendment of the House Bill authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (House, No. 4675), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Northfield,—
Floyd
Dunnell.

The House Bill authorizing the city of Chicopee to establish a water and sewer department (House, No. 4914), 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. Sent to the Senate for concurrence.

Third
reading
bill.

The House Bill relative to elections in the city known as the town of Greenfield (House, No. 2778), was read a third time.

Greenfield,—
charter.

The committee on Bills in the Third Reading reported recommending that the bill be consolidated with the House Bill relative to the city of Greenfield charter (House No. 4483, changed), likewise referred to said committee, and substituting therefor a Bill relative to the charter of the city of Greenfield (House, No. 4936), which was read.

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

The Senate Bill further regulating the membership of the licensing commission and the board of election commissioners of the city of Somerville (Senate, No. 2294), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Somerville,—
commissions.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 1 of chapter 191 of the acts of 1923 is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 190 of the acts of 1939, and inserting in place thereof the following sentence:- Notwithstanding any general or special law to the contrary, the licensing commission of the city of Somerville shall consist of 3 persons who shall be appointed without regard to political affiliation.

SECTION 2. Section 2 of chapter 190 of the acts of 1939 is hereby repealed.

SECTION 3. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (Senate, No. 2294, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At fourteen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, OCTOBER 22, 2018.

[109]

JOURNAL OF THE HOUSE.

Monday, October 22, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Light and Warmth, we pray for Your gifts of Grace to come upon our women and men of this elected body and upon all who work throughout the House of Representatives.

Prayer.

We remember that it was on this day in 1844 that tens of thousands of people in Massachusetts anticipated the end of the world.

Rev. William Miller, who was born in Pittsfield, claimed to have calculated the "Day of Reckoning" by his own interpretation of biblical texts. Over years of preaching throughout the Northeast, many people known as "Millerites" came to trust him. They believed his prophecy and sold their belongings at a great loss and went out to various mountains and hilltops to await the apocalypse of October 22.

Most citizens of the Commonwealth were of course skeptical. The Reverend Theodore Parker was reported as saying, "The End of the World does not concern me as I live in Boston."

As the next day dawned, the "Day of Atonement" came to be called the "Day of Disappointment" and most people returned to their mundane tasks at hand and rejoined their local church congregations. Others however continued to believe in the basics of Miller's teachings and eventually formed themselves into the Seventh Day Adventist Church.

May God continue to bless our Commonwealth.

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 relative to the Lancaster sewer district [see House, No. 3217, amended] (for message, see House, No. 4937), was filed in the office of the Clerk on Friday, October 19.

Lancaster sewer district.

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 Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Appointment of the Speaker.

The Speaker announced that he had appointed Representative Tyler of Boston to the panel on justice-involved women established (under Section 223(a) of Chapter 69 of the Acts of 2018) to review and report on the impact of said law and other criminal laws on women and to make recommendations on gender-responsive and trauma-informed approaches to address the pretrial, incarceration and rehabilitation needs of justice-involved women.

Justice-
involved
women panel.

Resolutions.

Resolutions (filed with the Clerk by Mr. Murray of Milford) recognizing the Milford Portuguese Club, Inc. on its one hundredth anniversary, were referred under Rule 85, to the committee on Rules.

Milford
Portuguese
Club.

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.

Communication.

A communication from the Human Resources Division of the Executive Office for Administration and Finance (see the provisions of Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service police promotional series eligible lists which have been revoked by the Personal Administrator as of October 1, 2018, was placed on file.

Civil
service
lists.

Report.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through September 2018, was placed on file.

Unemployment
Trust Fund.

Petition.

Ms. Peisch of Wellesley presented a petition (subject to Joint Rule 12) of Alice Hanlon Peisch for legislation to establish a sick bank for Yin Yu-Wong, an employee of the Massachusetts Rehabilitation Commission; and the same was referred, under Rule 24, to the committee on Rules.

Yin Yu-Wong,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Paper from the Senate.

A Bill establishing a sick leave bank for Laurie Wendover, an employee of the Department of Correction (Senate, No. 2083, amended in lines 4, 5 and 6 by striking out the sentence contained in those lines) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Laurie
Wendover,—
sick leave.

Reports of a Committee.

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

The Senate Bill creating senior tax relief in the town of Carver (Senate, No. 2670); and

Carver,—
senior taxes.

The House Bill providing for the recall of elected officials in the town of Hanson (House, No. 4657) [Local Approval Received];

Hanson,—
elected officials.

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

Emergency Measure.

The engrossed Bill supporting the Mohawk Trail Woodland Partnership (see House, No. 4880, 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.

Mohawk Trail
Woodland
Partnership.

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 5 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Richard G. Perry, an employee of the Department of Conservation and Recreation (see Senate, No. 2661) (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.

Engrossed bills

Exempting the position part-time officer in the police department in the town of Athol from the civil service law (see House, No. 4146);

Bills
enacted.

Authorizing the town of Northfield to continue the employment of Floyd Dunnell, III (see House, No. 4675, amended);

Relative to the disability retirement of public safety personnel in the city of Quincy (see House, No. 4719); and

Providing for the financial stability of the city of Methuen (see House, No. 4905, changed and 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.

Reconsideration.

Mr. Speliotis of Danvers asked that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the Senate Bill further regulating the membership of the licensing commission and the board of election commissioners of the city of Somerville (Senate, No. 2294, amended); and the motion to reconsider was considered forthwith; and it prevailed.

Somerville,—
commissions.

The same member then moved that the vote be reconsidered by which the House adopted an amendment (offered by Mr. Speliotis); and the motion to reconsider prevailed. On the recurring question, the amendment was rejected.

Mr. Speliotis of Danvers then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. The second sentence of section 1 of chapter 191 of the acts of 1923, as appearing in section 1 of chapter 190 of the acts of 1939, is hereby repealed.

SECTION 2. Section 2 of chapter 190 of the acts of 1939 is hereby repealed.

SECTION 3. Notwithstanding any general or special law to the contrary, the licensing commission of the city of Somerville shall consist of 3 persons who shall be appointed without regard to political affiliation.

SECTION 4. This act shall take effect upon its passage.”

The amendment was adopted; and the bill (Senate, No. 2294, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the House amendment.

Orders of the Day.

The Senate amendment of the House Bill revising the charter for the city of Melrose (House, No. 4464), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Melrose,—
charter.

House bills

Designating a certain bridge in the town of West Boylston as the Specialist Kyle A. Little memorial bridge (House, No. 4904) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Relative to the health insurance and other benefits in the town of East Brookfield (House, No. 4921);

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 House Bill establishing a town manager form of government for the town

Pembroke,—

of Pembroke (House, No. 4607), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

town
manager.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 4, in line 103, by striking out the word “executive”;

In section 5, in lines 226 and 227, by striking out the following: “(a) and (b) above” and inserting in place thereof the following: “subsections (A) and (B) of this section”;

In section 6, in lines 231 and 232, by striking out the following: “with a minimum of four (4) affirmative votes”; and

By striking out section 7 and inserting in place thereof the following section:
“SECTION 7. DEPARTMENT OF PUBLIC WORKS

A. There shall be an elected board of commissioners for the department of public works, hereinafter in this section called the board, consisting of 3 members serving 3-year, staggered terms. The incumbent commissioners shall remain in office, subject to re-election, as their terms expire.

B. Under the direction of the director of public works, the department of public works shall continue to carry out and have all of the duties and responsibilities of the town’s highway, cemetery, tree and park divisions or departments. Except as provided in subsection D below, the department of public works shall have all of the powers, duties and responsibilities of the existing department.

C. There shall be a director of public works, appointed by the town manager. The director of public works and town manager shall consult with the board for the purpose of receiving advice and assistance in the development of policy guidelines for the operation of the department of public works. The board shall perform such other advisory functions related to the department of public works as the director of public works or town manager may request; provided however, that nothing in this section shall authorize any member of the board, nor a majority of such members, to become involved in the day-to-day administration of the department of public works.

D. Notwithstanding the subsections above, the board shall continue to function as a board of water commissioners. In that capacity the board shall to continue to exercise all of the authority and shall continue to have all of the duties and responsibilities of the existing board of water commissioners. The board shall continue to set water rates and maintain the water enterprise fund.

E. The vote of the town at the 1991 town election regarding article 67 is hereby rescinded.”.

The amendments were adopted; and the bill (House, No. 4607, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-three minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, OCTOBER 25, 2018.

[110]

JOURNAL OF THE HOUSE.

Thursday, October 25, 2018.

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.

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Clay Pappas on receiving the Eagle Award of the Boy Scouts of America;

Clay
Pappas.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Samuel Yuan Peterson on receiving the Eagle Award of the Boy Scouts of America;

Samuel
Peterson.

Resolutions (filed by Mr. Brodeur of Melrose) congratulating Bryan J. Lantagne, Esq. on the occasion of his retirement;

Bryan
Lantagne.

Resolutions (filed by Ms. Decker of Cambridge) recognizing Carmen Yulín Cruz, Mayor of San Juan, Puerto Rico;

Carmen
Cruz.

Resolutions (filed by Mr. Kafka of Stoughton) honoring Shirley Schofield of Sharon, Town Historian, on the joyous occasion of her ninetieth birthday;

Shirley
Schofield.

Resolutions (filed by Mr. Linsky of Natick) congratulating Nicholas Brackett on receiving the Eagle Award of the Boy Scouts of America; and

Nicholas
Brackett.

Resolutions (filed by Mr. Linsky of Natick) congratulating Christian Donahue on receiving the Eagle Award of the Boy Scouts of America;

Christian
Donahue.

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

Communications.

Communications

From the Afterschool and Out-of-School Time Coordinating Council (see Chapter 254 of the Acts of 2012) submitting the final report of the findings and recommendations concerning afterschool and out-of-school time programs [copies of the report were forwarded to the committees on Education and Ways and Means, as required by said law]; and

Afterschool
and out-of-
school time.

From the Massachusetts Health Connector (see Section 115 of Chapter 47 of the Acts of 2017) submitting a report on the feasibility of establishing a small employer premium sharing plan for participation in the MassHealth program;

MassHealth,—
small employer
sharing plan.

Severally were placed on file.

Petitions.

Representative Donato of Medford and Senator Jehlen presented a joint petition (subject to Joint Rule 12) of Paul J. Donato and Patricia D. Jehlen for legislation to establish a sick leave bank for Katelyn Giliberti, an employee of the Department of Public Health; and the same was referred, under Rule 24, to the committee on Rules.

Katelyn Giliberti,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Representative Jones of North Reading and Senator Lewis presented a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Jason M. Lewis and James J. Dwyer for legislation to establish a sick leave bank for Lawrence Jordan, an employee of the Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Lawrence Jordan,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Frost of Auburn, a petition (subject to Joint Rule 12) of Paul K. Frost and Ryan C. Fattman for legislation to establish a sick leave bank for Charde Christophe, an employee of the Department of Youth Services.

Charde Christophe,—
sick leave.

By Mr. Scibak of South Hadley, a petition (subject to Joint Rule 12) of John W. Scibak for legislation to establish a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff’s Department.

John Taylor Woodward,—
sick leave.

By the same member, a petition (subject to Joint Rule 12) of John W. Scibak relative to elections for fire district number 1 in the town of South Hadley.

South Hadley,—
fire district.

By the same member, a petition (subject to Joint Rule 12) of John W. Scibak relative to elections for fire district number 2 in the town of South Hadley.

Id.

By the same member, a petition (subject to Joint Rule 12) of John W. Scibak relative to election locations for fire district number 2 in the town of South Hadley.

Id.

By Representative Vincent of Revere and Senator Boncore, a joint petition (subject to Joint Rule 12) of RoseLee Vincent and Joseph A. Boncore that the Department of Conservation and Recreation be authorized to place a plaque at the McCarthy Pavilion in the city of Revere in honor of Grace Hill Sannella.

Revere,—
Grace Sannella.

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

Papers from the Senate.

Bills

Authorizing the town of Hardwick to continue the employment of fire chief Raymond Walker (Senate, No. 2586) (on a petition) [Local Approval Received]; and

Hardwick,—
Raymond
Walker.

Authorizing the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (Senate, No. 2596) (on a petition) [Local Approval Received];

Berkley,—
liquor
license.

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.

The following notice was received from the Clerk of the Senate, to wit:—

October 22, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Karen E. Spilka, President of the Senate, has announced the appointment (pursuant to Section 1 of Chapter 208 of the Acts of 2018) of Jonah Beckley of Boston to the Commission on Community Behavioral Health Promotion and Prevention.

Community
behavioral health
promotion and
prevention.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 Brian M. Ashe and Anne M. Gobi that the state treasury be authorized to pay Armando Sousa, a former employee of the Monson Developmental Center, for services rendered to the Monson Developmental Center during the years 1977 to 1985, inclusive. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by resolve) was referred to the committee on Ways and Means. Sent to the Senate for concurrence in the suspension of Joint Rule 12.

Armondo
Sousa,—
payment.

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 petition of James J. O'Day and others relative to the distribution of certain public funds used by National Grid. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

National
Grid,—
public funds.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to innocent spouses (House, No. 2602), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4942). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Innocent spouses.

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

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 46, by inserting after the word “activities” the words “, as defined by the commissioner,”.

The amendment was adopted; and the bill (House, No. 4942, amended) was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Laurie Wendover, an employee of the Department of Correction (Senate, No. 2083, amended), be scheduled for consideration by the House.

Laurie Wendover,— sick leave.

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

Engrossed Bills.

Engrossed bills

Authorizing the town of Danvers to grant 10 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4459);

Revising the charter for the city of Melrose (see House, No. 4464, amended);

Authorizing the town of Williamsburg to continue the employment of fire department members Alan Everett and Robert Lapointe (see House, No. 4703, amended); and

Authorizing the city of Medford to designate a check-off on its municipal property tax bills (see House, No. 4848, 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.

Bills enacted.

Orders of the Day.

The engrossed Bill providing for the annual appointment of a treasurer of the Lancaster sewer district (see House, No. 3217, amended), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4937), was considered.

Lancaster sewer district.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

In section 1 by striking out the following: “chapter 660 of the acts of 1970” (as inserted by the House committee on Bills in the Third Reading) and inserting in place thereof the following: “chapter 659 of the acts of 1970”.

The amendment was adopted. Sent to the Senate for its action.

House bills

Authorizing the town of Hatfield to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4878) (its title having been changed by the committee on Bills in the Third Reading); and

Third reading bills.

Authorizing the board of selectmen of the town of Arlington to place upon a town ballot a question to increase the number of licenses for all alcoholic beverages not to be drunk on the premises (House, No. 4892);

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.

Recess.

At eight minutes after twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at two o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At two o'clock P.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, OCTOBER 29, 2018.

[111]

JOURNAL OF THE HOUSE.

Monday, October 29, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mrs. Haddad of Somerset in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Strength and Joy, we pray for our legislators and their staff as they conduct the legislative affairs of our Commonwealth. They do so today with happy hearts as our region celebrates an historic baseball season.

May our legislators be inspired by the teamwork of the Boston Red Sox that they might "pierce" any pessimism, oppose anyone who "betts" against them in their efforts to bring home fair and just legislation.

In all their "endevers", may they manage to sacrifice their personal agenda, work together as a team, regardless of the "price".

May God continue to bless our Commonwealth.

Prayer.

At the request of the Chair (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Prayer.

The members, guests and employees stood in a moment of silent tribute, at the request of Speaker DeLeo of Winthrop and the Chair (Mrs. Haddad of Somerset), for the victims of the Pittsburgh synagogue shooting, which was offered as follows:

As we conclude today's session, I'd like to take some time to recognize the victims of an anti-Semitic attack in Pittsburgh this weekend.

The victims were praying, observing the Sabbath together and killed for only one reason – because they were Jewish.

We decry this horrific crime. We grieve with the people in Pittsburgh as so many of them did in our hour of need a few years back.

On behalf of the House of Representatives, we offer our deepest sympathies to all affected.

Pittsburgh synagogue shooting.

Message from the Governor — Recommendations of Amendments in Supplemental Appropriation Bill.

A message from His Excellency the Governor returning with recommendations of amendments to sections 20, 38, 59 and 60 contained in the engrossed Bill making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4930, amended], and recommending certain new supplemental appropriations for the fiscal year 2018 (for message, see House, No. 4941), filed in the office of the Clerk

Supplemental Budget Bill,— amendments, etc.

on Tuesday, October 23, was read.

So much of the message as relates to the sections returned with recommendations of amendments and the recommended supplemental appropriations [for an evaluation of the appropriateness of them being submitted under Art. LVI] were referred, as follows:

Section 20 — Printed as House, No. 4938;

Section 38 — Printed as House, No. 4939; and

Sections 59 and 60 — Printed as House, No. 4940.

Severally, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

The residue of the message was placed on file.

Subsequently, the engrossed Bill relative to the prescription drug monitoring program (see House, No. 4938), being a printed copy of Section 20 contained in the engrossed Bill making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4930, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment A of House, No. 4941), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

The amendment recommended by the Governor then was rejected.

Mr. Speliotis of Danvers then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“Subsection (f) of section 24A of chapter 94C of the General Laws, as appearing in section 44 of chapter 208 of the acts of 2018, is hereby amended by striking out clauses (6) and (7) and inserting in place thereof the following 3 clauses:

(6) personnel of the United States attorney, office of the attorney general or a district attorney; provided, however, that the data request is in connection with a bona fide specific controlled substance or additional drug related investigation and accompanied by a probable cause warrant issued pursuant to chapter 276 or a civil investigative demand;

(7) personnel of the Medicaid fraud control unit within the office of the attorney general or a district attorney; provided, however, that the data request is made in connection with a bona fide specific controlled substance or additional drug related investigation of a practitioner, pharmacist, pharmacy, person required to be a registered participant by this chapter or any other provider subject to the jurisdiction of a Medicaid fraud control unit under federal law, including, but not limited to, 42 USC section 1396b, et. seq.; and provided further, that, notwithstanding clauses (4) and (6), the department shall provide the data requested pursuant to this clause without a probable cause warrant issued pursuant to chapter 276; or

(8) personnel within the office of a district attorney; provided, however, that the data request is made in connection with a bona fide investigation into the cause and manner of death of an individual suspected of a drug overdose; and provided further, that, notwithstanding clauses (4) and (6), the department shall provide the data requested pursuant to this clause without a probable cause warrant issued pursuant to chapter 276.”

The amendment was adopted; and the bill (see House, No. 4938, amended) then was sent to the Senate for its action.

Message from the Governor.

A message from His Excellency the Governor making appropriations for fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4950), was filed this day in the office of the Clerk.

Supplemental
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Mr. Muratore of Plymouth) commending Sonia Barboza on her forty six years of distinguished service providing for veterans in the town of Plymouth; and

Sonia
Barboza.

Resolutions (filed by Mr. Murray of Milford) congratulating attorney Laura A. Mann on the occasion of her retirement;

Laura
Mann.

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

Report.

A report from the Montachusett Area Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018, was placed on file.

Montachusett
Area
Transit
Authority.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 4947) of Jennifer E. Benson and James B. Eldridge (by vote of the town) relative to the finance department of the town of Harvard; and

Harvard,—
finance
department.

By Representative Garlick of Needham and Senator Rush, a joint petition (accompanied by bill, House, No. 4948) of Denise C. Garlick, Michael F. Rush and Richard J. Ross (by vote of the town) relative to amending the charter of the town of Needham;

Needham,—
charter.

Severally to the committee on Municipalities and Regional Government.

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 4949) of Jennifer E. Benson and James B. Eldridge (by vote of the town) that the town of Harvard be authorized to establish a cap on property taxes for means tested senior citizens. To the committee on Revenue.

Harvard,—
senior
property tax.

Severally sent to the Senate for concurrence.

Paper from the Senate.

A Bill establishing a sick leave bank for Kelli Jones, an employee of the Department of Mental Health (Senate, No. 2663) (on a petition), passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kelli Jones,—
sick leave.

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

Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of the same member, the bill (having been 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.

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 petition of Paul K. Frost and Ryan C. Fattman for legislation to establish a sick leave bank for Charde Christophe, an employee of the Department of Youth Services. Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Charde
Christophe,—
sick leave.

Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 4231, reported, in part, a Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4946). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
appropriations.

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

Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill validating certain proceedings of the town of Concord (printed in Senate, No. 2665), be scheduled for consideration by the House.

Concord,—
town meeting.

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

Subsequently, under further suspension of the rules, on motion of the same member, the bill (having been 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.

Emergency Measure.

The engrossed Bill relative to the financial condition of the Pioneer Valley Regional School District (see House, No. 4746), 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.

Pioneer Valley
Regional School
District.

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 sent to the Senate.

Bill
enacted.

Recess.

At eight minutes before twelve o'clock noon, the Chair (Mrs. Haddad of Somerset) declared a recess subject to the call of the Chair; and at twenty-one minutes after one o'clock P.M., the House was called to order with Mrs. Haddad in the Chair.

Recess.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Kelli Jones, an employee of the Department of Mental Health (see Senate, No. 2663), 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.

Kelli Jones,—
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 2 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 sent to the Senate.

Bill
enacted.

The engrossed Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4946), 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.

Supplemental
appropriations.

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 noon recess and subsequent recess having terminated, 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

The engrossed Bill providing for the annual appointment of a treasurer of the Lancaster sewer district (see House, No. 3217, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared 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.

The engrossed Bill validating certain proceedings of the town of Concord (see Senate bill printed in Senate, No. 2665) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Paper from the Senate.

The engrossed Bill to promote and enhance civic engagement (see Senate, No. 2631, amended), which had been returned to the Senate by His Excellency the Governor (under Article LVI of the Amendments to the Constitution) with recommendation of amendment [for message, see Senate, No. 2650], came from said branch with the endorsement that it amended the bill as follows:

Civic
engagement.

In section 2, in the first sentence of subsection (a) of proposed section 29A, inserting after the words “establish a” the word “non-partisan”; and

In section 4 striking out subsection (c) of section 2 of Chapter 71 and inserting in place thereof the following:

“(c) Each public school serving students in the eighth grade and each public high school shall provide not less than 1 student-led, non-partisan civics project for each student; provided, however, that each such project shall be consistent with the history and social science curriculum frameworks adopted by the board pursuant to section 1E of chapter 69 and with structured learning time requirements as required under regulations promulgated by the board of elementary and secondary education. Civics projects may be individual, small group or class wide, and designed to promote a student’s ability to: (i) analyze complex issues; (ii) consider differing points of view; (iii) reason, make logical arguments and support claims using valid evidence; (iv) engage in civil discourse with those who hold opposing positions; and (v) demonstrate an understanding of the connections between federal, state and local policies, including issues that may impact the student’s school or community. Any student choosing not to participate in a particular group or class-wide project shall be offered the opportunity to develop an individual civics project, with approval by the principal.”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn (Mr. Kaufman of Lexington having taken in the Chair); and they were adopted, in concurrence.

Recess.

At twenty-six minutes after one o'clock P.M., the Chair (Mr. Kaufman of Lexington) declared a recess subject to the call of the Chair; and at twenty-nine minutes before three o'clock P.M., the House was called to order with Mr. Kaufman in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill to promote and enhance civic engagement (see Senate, No. 2631, amended) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared 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.

Recess.

Mrs. Haddad of Somerset being in the Chair,—

At thirteen minutes after three o'clock P.M., a recess subject to the call of the Chair was declared; and at nine minutes before four o'clock P.M., the House was called to order with Mrs. Haddad in the Chair.

Recess.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At seven minutes before four o'clock P.M., on motion of Mr. Wong of Saugus (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 1, 2018.

[112]

JOURNAL OF THE HOUSE.

Thursday, November 1, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God, Source of Life, we give You thanks as we move along this calendar year. God of Endurance, we ask for Your strength as our legislative officials and their staff continue to conduct the affairs of this branch of government.

In many cultures and faith traditions November is a month for remembrance of those who have died. We give thanks for all deceased members of this House and we pray that those who today occupy their seats in this chamber do so in a way that honors their memory.

May God continue to bless our Commonwealth.

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.

Appointments of the Speaker and Minority Leader.

The Speaker announced that (under Section 104 of Chapter 208 of the Acts of 2018) he had appointed Dr. Leo Beletsky, of Northeastern University, to the section 35 involuntary commitment commission established to study the efficacy of involuntary inpatient treatment for non-court involved individuals diagnosed with substance use disorders; and

The Minority Leader announced that (under Section 104 of Chapter 208 of the Acts of 2018) he had appointed John E. Rosenthal, President of Meredith Management, to said commission.

Resolutions.

Resolutions (filed with the Clerk by Ms. Peisch of Wellesley) honoring John Schuler on being named a Good Scout by the Wellesley Kiwanis Club, were referred, under Rule 85, to the committee on Rules.

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.

Communication.

A communication from the Office of the Comptroller providing an updated

Prayer.

Pledge of
allegiance.

Substance use
disorders,—
involuntary
inpatient
treatment.

John
Schuler.

Statutory Basis

status on the filing of the 2018 Statutory Basis Financial Report, which has been delayed pending passage of the supplemental appropriation bill; and stating that completion of said report is expected in November 2018, was placed on file.

Financial
Report.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Barber of Somerville, a petition (accompanied by bill, House, No. 4951) of Christine P. Barber and others (with the approval of the mayor and city council) that the city of Somerville be authorized to appoint two additional members to the Somerville Redevelopment Authority; and

Somerville
Redevelopment
Authority.

By Mr. Naughton of Clinton, a petition (accompanied by bill, House, No. 4952) of Harold P. Naughton, Jr., and Dean A. Tran (by vote of the town) that the town of Berlin be authorized to establish a board of selectmen-town administrator form of government in said town;

Berlin,—
town
administrator.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Ashe of Longmeadow, a petition (subject to Joint Rule 12) of Brian M. Ashe relative to employees of the Western Massachusetts Emergency Communications District.

Emergency
communications
district.

By Representative Honan of Boston and Senator Boncore, a joint petition (subject to Joint Rule 12) of Kevin G. Honan, Joseph A. Boncore and others relative to the election of board members of local housing authorities.

Housing
authorities,—
boards.

By Mr. Naughton of Clinton, a petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., and Harriette L. Chandler that the children's pool at the Philip J. Weihl Memorial Pool in the town of Clinton be designated as the Liberty M. Arnold-Simon memorial children's pool.

Clinton,—
children's
pool.

By Mr. Vargas of Haverhill, a petition (subject to Joint Rule 12) of Andres X. Vargas for legislation to establish a sick leave bank for Rachael Purnell, an employee of the Trial Court.

Rachel
Purnell,—
sick leave.

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

Papers from the Senate.

A petition (accompanied by bill, Senate, No. 2671) of Mark C. Montigny, Robert M. Koczera, Paul A. Schmid, III, Christopher M. Markey and other members of the General Court (with approval of the mayor and city council) for legislation to authorize the appointment of special police officers in the city of New Bedford, was referred, in concurrence, to the committee on Public Service.

New
Bedford,—
special police.

A petition of Marc R. Pacheco and Susan Williams Gifford for legislation to establish a sick leave bank for James Condon, an employee of the Department of Mental Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

James
Condon,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2672) was referred, in concurrence, to the committee on Public Service.

The following notices were received from the Clerk of the Senate, to wit:—

October 29, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Karen E. Spilka, President of the Senate, has announced the following appointments:

Diane Gould of Framingham (pursuant to Section 101 of Chapter 208 of the Acts of 2018) to the Commission to make an investigation and study of recovery coaching;

Recovery coaching.

Senator Cindy F. Friedman (pursuant to Section 225 of Chapter 69 of the Acts of 2018) to the Restoration Center Commission of the former county of Middlesex; and

Restoration center commission.

Senator Joseph C. Boncore (pursuant to Section 89(b) of Chapter 69 of the Acts of 2018) to the Juvenile Justice Policy and Data Board.

Juvenile justice board.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

November 1, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Karen E. Spilka, President of the Senate, has announced the following appointments:

Senator Cindy F. Friedman, as Senate Chair on the Massachusetts Caucus of Women Legislators;

Caucus of Women Legislators.

Senator Eric P. Lesser (pursuant to Section 7 of Chapter 23H of the General Laws) to the Massachusetts State Workforce Board; and

Workforce board.

Mass Bay Community College President Dr. David Podell (pursuant to Section 104 of Chapter 208 of the Acts of 2018) to the Section 35 involuntary commitment commission.

Involuntary commitment.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 petition of John W. Scibak for legislation to establish a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 then was suspended; and petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

John Taylor Woodward,—
sick leave.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Lawrence Jordan, an employee of the Department of Transportation (House, No. 4944).

Lawrence Jordan,—
sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Katelyn Giliberti, an employee of the Department of Public Health (House, No. 4945).

Katelyn Giliberti,—
sick leave.

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

Mr. Murphy of Weymouth, for said committee, then reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Subsequently, under further suspension of the rules, in each instance, on motion of the same member, the bills (severally having been 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.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick bank [sic] for Yin Yu-Wong, an employee of the Massachusetts Rehabilitation Commission (House, No. 4943). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Yin Yu-Wong,—
sick leave.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bills.

Engrossed bills

Relative to a real property exemption for disabled persons in the town of Westford (see House, No. 4660);

Bills enacted.

Authorizing the town of Brookline to raise the income threshold for senior real property tax deferments (see House, No. 4847);

Authorizing the city of Newton to amend the income qualifications for a certain tax deferral program (see House, No. 4849); and

Relative to a certain retirement benefit to be paid to the surviving spouse of

fallen officer, Michael Chesna, of the police department of the city known as the town of Weymouth (see House, No. 4928);

(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 amendment of the House Bill releasing a restriction on certain property in the town of Webster (House, No. 4122), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Webster,—
land.

House bills

Designating a certain bridge in the town of Burlington as the Lance Corporal Gregory E. MacDonald memorial bridge (House, No. 4569); and

Third
reading
bills.

Authorizing the city of Marlborough to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (House, No. 4621) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-two minutes before twelve o'clock noon, on motion of Ms. Gifford of Wareham (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, NOVEMBER 5, 2018.

[113]

JOURNAL OF THE HOUSE.

Monday, November 5, 2018.

Met at seven minutes after 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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Deliverance, we give thanks today for the health and welfare enjoyed by many in our Commonwealth. We pray for the efforts of our elected House membership. May they continue to work together in a spirit of co-operation.

We remember that it was on this day in 1639 the General Court named the Fairbanks Tavern in Boston as the locale for overseas mail to be delivered, thus establishing the first postal office in the American colonies.

May God continue to bless our Commonwealth.

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.

Message from the Governor.

A message from His Excellency the Governor (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Hanover to grant abatement of real estate taxes to [sic] certain surviving spouse (House, No. 4955), was filed in the office of the Clerk on Friday, November 2.

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

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Sean Dennis Burke on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating John Joseph Corboy on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Joshua Adam Griffin on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Poirier of North Attleborough,

Prayer.

Pledge of
allegiance.

Hanover,—
Chesna tax
abatement.

Sean
Burke.

John
Corboy.

Joshua
Griffin.

Anthony
Krouskos.

Barrows of Mansfield and Kafka of Stoughton) congratulating Anthony John Krouskos on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Kelcourse of Amesbury) congratulating Caleb Huston on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Kelcourse of Amesbury) congratulating Noah Joslin on receiving the Eagle Award of the Boy Scouts of America;

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. Barrows of Mansfield, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Caleb
Huston.

Noah
Joslin.

Communication.

A communication from the University of Massachusetts Medical School (see Section 43(f) of Chapter 75 of the General Laws) submitting a report of the activities of the MassBiologics Laboratories for the fiscal year 2018, was placed on file.

MassBiologics.

Annual Reports.

Annual reports

Of the Martha's Vineyard Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018; and

Of the Merrimack Valley Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Severally were placed on file.

Martha's
Vineyard
Regional
Transit.

Merrimack
Valley
Regional
Transit.

Reports of Committees.

By Ms. Peisch of Wellesley, for the committee on Education, asking to be discharged from further consideration of the joint petition (accompanied by bill House, No. 4925) of Dylan Fernandes and Julian Cyr relative to authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc.,— and recommending that the same be referred to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Martha's
Vineyard,—
land.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill providing for the conveyance of certain land owned by the Commonwealth in the city of Medford (House, No. 4923). Read; and referred, under Rule 33, to the committee on Ways and Means.

Medford,—
land.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4932, a Bill authorizing the town of Harwich

Harwich,—
liquor

to issue three additional liquor licenses (House, No. 4956) [Local Approval Received].

licenses.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill amending the charter of the town of Needham (House, No. 4948) [Local Approval Received].

Needham,—
charter.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Releasing a restriction on certain property in the town of Webster (see House, No. 4122, amended); and

Bills
enacted.

Authorizing the city of Somerville to offer an exemption for certain owner occupied residential properties for water and sewer charges and rates (see House, No. 4309);

(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 creating senior tax relief in the town of Carver (Senate, No. 2670), 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.

The House Bill relative to the affordable housing trust fund of the town of Brewster (House, No. 4619), 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. Sent to the Senate for concurrence.

Id.

The House Bill establishing a sick leave bank for Yin Yu-Wong, an employee of the Massachusetts Rehabilitation Commission (House, No. 4943) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Yin
Yu-Wong,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 4 by inserting after the word “her” the words “children due to the death of her”, and in line 7 by inserting after the word “illness” the words “, death”.

The amendments were adopted; and the bill (House, No. 4943, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday

Next
sitting.

next at eleven o'clock A.M.

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 8, 2018.

[114]

JOURNAL OF THE HOUSE.

Thursday, November 8, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Light and Hope, we pray for our elected officials who serve our Commonwealth in this Chamber. We pray also for the many employees throughout our state who keep Massachusetts a vibrant and pleasant place to call home.

Prayer.

In a special way we pray for the many men and women who serve as firefighters in our 351 cities and towns as tomorrow marks the anniversary of the 1872 Great Boston Fire. The fire consumed most of the downtown business district and cost the lives of two firefighters and eleven citizens. Over 750 buildings were destroyed. Thanks to an abundance of insurance coverage rebuilding was accomplished in just two years' time. Some downtown Boston streets were widened and new building codes were established to help prevent such a tragedy from happening again.

May God continue to bless our Commonwealth.

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.

A message from His Excellency the Governor recommending legislation (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation regarding the authorization of the town of Wareham to issue an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4958), was filed in the office of the Clerk on Monday, November 5.

Wareham,—
liquor
license.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, seniors from the Callahan Center in Framingham. At the invitation of the Chair, the seniors participated in the pledge of allegiance to the flag. They were the guests of Representatives Lewis of Framingham and Gentile of Sudbury, and Senate President Spilka.

Framingham,—
Callahan
Center.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Ida Coburn (Thomas) Parker on her ninetieth birthday;

Ida
Parker.

Resolutions (filed by Ms. Atkins of Concord) congratulating Anna and Neil Rasmussen on the opening of the Anna and Neil Rasmussen Education Center at the Concord Museum;

Anna
and Neil
Rasmussen.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Joseph Gerald Gallant on receiving the Eagle Award of the Boy Scouts of America;

Joseph
Gallant.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Matthew Anthony Lucas on receiving the Eagle Award of the Boy Scouts of America;

Matthew
Lucas.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Coleman Monroe Lysaght on receiving the Eagle Award of the Boy Scouts of America;

Coleman
Lysaght.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Owen Kondo O'Connor on receiving the Eagle Award of the Boy Scouts of America; and

Owen
O'Connor.

Resolutions (filed by Mr. Speliotis of Danvers and other members of the House) recognizing the one hundredth anniversary of the North Shore Chamber of Commerce, Inc.;

North Shore
Chamber of
Commerce.

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. McGonagle of Everett, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Human Resources Division of the Executive Office for Administration and Finance (see Section 25 of Chapter 31 of the General Laws) submitting a listing of civil service fire promotional series eligible lists which have been revoked by the Personal Administrator as of November 1, 2018; and

Civil
service
lists.

From the Operational Services Division (see Section 4 of Chapter 219 of the Acts of 2016) relative to establishing goals for participation of individuals with disabilities in all areas of state procurement contracting;

Disabled,—
state
contracts.

Severally were placed on file.

Reports.

Reports

Of the Office of the Comptroller (under Section 12(a) of Chapter 7A of the General Laws) submitting the Statutory Basis Financial Report for the fiscal year 2018;

Statutory Basis
Financial
Report.

Of the Department of Telecommunications and Cable (under Section 6 of Chapter 25C of the General Laws) submitting the annual report for said department for the fiscal year 2018; and

Telecommunica-
tions and
Cable.

Of the Water Resources Commission (under Section 8C of Chapter 21 of the General Laws and 313 CMR 4.11(3)) relative to the approval of an Interbasin

Water Resources
Commission.

Transfer Act request from the town of Ashland to purchase up to 1.6 million gallons per day from the Massachusetts Water Resources Authority;
Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Mark of Peru and Senator Hinds, a joint petition (subject to Joint Rule 12) of Paul W. Mark and Adam G. Hinds for legislation to establish a sick leave bank for Peter Hayes, an employee of the Department of Children and Families.

Peter Hayes,—
sick leave.

By Representative Naughton of Clinton and Senator Chandler, a joint petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., and Harriette L. Chandler for legislation to establish a sick leave bank for William P. Kearny, Jr., an employee of Massachusetts Department of Transportation.

William
Kearney,—
sick leave.

By Mr. Vargas of Haverhill, a petition (subject to Joint Rule 12) of Andres X. Vargas for legislation to establish a sick leave bank for Gina Parolisi, an employee of the Trial Court.

Gina Parolisi,—
sick leave.

Severally, under Rule 24, to the committee on Rules.

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 petition of Andres X. Vargas for legislation to establish a sick leave bank for Rachael Purnell, an employee of the Trial Court. 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 the Judiciary. Sent to the Senate for concurrence.

Rachael
Purnell,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Amending the charter of the town of Needham (House, No. 4948) [Local Approval Received]; and

Needham,—
charter.

Authorizing the town of Harwich to issue three additional liquor licenses (House, No. 4956) [Local Approval Received];

Harwich,—
liquor
licenses.

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. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the city of Leominster to amend the special act of 2002 relative to retired police officer details (House, No. 4924) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Leominster,—
special
police.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill relative to the retirement benefits of certain employees of the city of Chicopee (House, No. 4933) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Chicopee,—
retirement
benefits.

Engrossed Bills.

Engrossed bills

Creating senior tax relief in the town of Carver (see Senate, No. 2670) (which originated in the Senate);

Bills
enacted.

Authorizing the county of Dukes County to borrow funds to pay costs of wastewater treatment facility improvements, capital improvements and capital equipment at the Martha's Vineyard Airport (see House, No. 4506, amended); and

Changing the membership of the representative town meeting of the town of Norwood (see House, No. 4718);

(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. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

Next
sitting.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, NOVEMBER 13, 2018.

[115]

JOURNAL OF THE HOUSE.

Tuesday, November 13, 2018.

Met at eight minutes after 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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Lawn of Watertown) congratulating Thomas J. Lyons on the occasion of his retirement, were referred, under Rule 85, to the committee on Rules.

Thomas
Lyons.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Lawn, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Department of Transitional Assistance (see Section 10 of Chapter 18 of the General Laws) submitting the annual report on the operations, organization and responsibilities of said department for the fiscal year 2018, was placed on file.

Transitional
assistance.

Report.

A report of the Southeastern Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018, was placed on file.

Southeastern
Regional
Transit
Authority.

Petition.

Representative Decker of Cambridge and Senator DiDomenico presented a joint petition (accompanied by bill, House, No. 4959) of Marjorie C. Decker and Sal N. DiDomenico (with the approval of the mayor and city council) that the city of Cambridge be authorized to offer early voting in municipal elections; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Cambridge,—
municipal
elections.

Papers from the Senate.

A Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (Senate, No. 2668) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Richard Maynard,—
sick leave.

A message from His Excellency the Governor (pursuant to Article II, Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation regarding the authorization of the town of Sturbridge to issue an additional license for sale of all alcoholic beverages (Senate, No. 2673), was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Sturbridge,—
liquor
license.

The following notice was received from the Clerk of the Senate, to wit:—

November 9, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Bruce E. Tarr, Minority Leader of the Senate, has announced the following appointments:

Mr. Warren Pearce, Jr. (pursuant to Section 188 of Chapter 46 of the Acts of 2015) to the special commission to study new business registration; and

New business
registration.

Sergeant John D. Magulas (pursuant to Section 219 of Chapter 69 of the Acts of 2018) to the special commission to study the prevention of suicide among correction officers.

Correction
officers,—
suicide prevention.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 John W. Scibak relative to elections for fire district number 1 in the town of South Hadley;

South Hadley,—
elections.

Petition (accompanied by bill) of John W. Scibak relative to elections for fire district number 2 in the town of South Hadley; and

Id.

Petition (accompanied by bill) of John W. Scibak relative to election locations for fire district number 2 in the town of South Hadley;

Id.

Severally to the committee on Election Laws.

Petition (accompanied by bill) of Andres X. Vargas for legislation to establish a sick leave bank for Gina Parolisi, an employee of the Trial Court. To the committee on the Judiciary.

Gina Parolisi,—
sick leave.

Petition (accompanied by bill) of Brian M. Ashe relative to employees of the Western Massachusetts Emergency Communications District; and

Communications district.

Petition (accompanied by bill) of Paul W. Mark and Adam G. Hinds for legislation to establish a sick leave bank for Peter Hayes, an employee of the Department of Children and Families;

Peter Hayes,—
sick leave.

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the reports were considered forthwith. Joint Rule 12 was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (Senate, No. 2596) [Local Approval Received], be scheduled for consideration by the House.

Berkley,—
liquor
license.

Under suspension of Rule 7A, on motion of Mr. Wong of Saugus, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Charde Christophe (House, No. 4954).

Charde
Christophe.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (House, No. 4957).

John
Woodward,—
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 Keri Volk, an employee of the Department of Correction (see House, No. 4616, 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.

Keri Volk,—
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 2 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) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared 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.

Engrossed bills

Establishing a solid waste and recycling capital improvement fund for the town of Dennis (see House, No. 3898, amended);

Bills
enacted.

Establishing a waterways capital improvement fund for the town of Dennis (see House, No. 3899, amended); and

Designating a certain bridge in the town of Burlington as the Lance Corporal

Gregory E. MacDonald Memorial Bridge (see House, No. 4569);
(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 amendment of the House Bill authorizing the town of Whately to continue the employment of John Hannum (House, No. 4547), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Whately,—
John Hannum.

House bills

Amending the charter of the town of Groton (House, No. 4893) (its title having been changed by the committee on Bills in the Third Reading); and

Amending the charter of the town of Needham (House, No. 4948);

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.

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At twenty-seven minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 15, 2018.

[116]

JOURNAL OF THE HOUSE.

Thursday, November 15, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Creativity, we pray in thanksgiving for the many blessings our Commonwealth has enjoyed over the years. We are grateful for the inventors and creators who have made their home here.

Prayer.

We remember that it was on this day in 1904 that King Camp Gillette received a patent for his disposable razor. Gillette worked with engineers from MIT for many years to produce a sharp blade made from inexpensive sheet metal that did not require continual sharpening, but could be thrown away. The disposable razor became a toiletry item for many men after World War I as Gillette secured a deal with the US military to give one of his razors to each soldier.

And so we pray for our legislators that they may utilize the gifts that are at their disposal and sharpen their skills of collaboration and cooperation.

May God continue to bless our Commonwealth.

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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, 5th grade students from the North Street Elementary School in Grafton. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Muradian of Grafton.

Grafton,—
North Street
Elementary
School.

During the session, the Chair (Mr. Donato), declared a brief recess and introduced, seated in the Chamber, members of Harborlights Community Partners. They were the guests of Representative Hill of Ipswich.

Harborlights
Community
Partners.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Hill of Ipswich) congratulating Dylan Shelby on receiving the Eagle Award of the Boy Scouts of America; and

Dylan
Shelby.

Resolutions (filed by Mrs. O'Connell of Taunton and other members of the House) recognizing November as National Epilepsy Month;

Epilepsy
month.

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. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

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 Harold P. Naughton, Jr., and Harriette L. Chandler that the children's pool at the Philip J. Weih Memorial Pool in the town of Clinton be designated as the Liberty M. Arnold-Simon memorial children's pool;

Clinton,—
memorial
pool.

Joint petition (accompanied by bill) of RoseLee Vincent and Joseph A. Boncore that the Department of Conservation and Recreation be authorized to place a plaque at the McCarthy Pavilion in the city of Revere in honor of Grace Hill Sannella; and

Revere,—
Grace Hill
Sannella.

Petition (accompanied by bill) of Timothy R. Whelan, William L. Crocker, Jr., and others for legislation to establish the DHY clean waters community partnership, an inter-municipal agreement for waste water management in the towns of Dennis, Harwich, and Yarmouth;

Dennis,
Harwich, and
Yarmouth,—
waste water.

Severally to the committee on Environment, Natural Resources and Agriculture.

Joint petition (accompanied by bill) of Harold P. Naughton, Jr., and Harriette L. Chandler for legislation to establish a sick leave bank for William P. Kearny, Jr., an employee of Massachusetts Department of Transportation. To the committee on Public Service.

William
Kearny,—
sick leave.

Under suspension of the rules, on motion of Mr. Stanley of Waltham, the reports were considered forthwith. Joint Rule 12 was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, recommending that the communication from the Department of Energy Resources of the Executive Office of Energy and Environmental Affairs (under the provisions of Section 12 of Chapter 25A of the General Laws) submitting amendments to 225 CMR 13, DOER CO₂ Budget Trading Program Auction Regulation (RGGI Auction Regulations) (House, No. 4920), be placed on file. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Department
of Energy
Resources,—
regulations.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill to establish a special commission on agricultural tourism (House, No. 2715), ought to pass with an amendment substituting therefor a resolve with the same title (House, No. 4962). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Agricultural
tourism,—
commission.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. O'Day of West Boylston, the

bill was read a second time forthwith.

Pending the question on adoption of the amendment recommended by the committee on Ways and Means, Mr. D'Emilia of Bridgewater moved to amend the proposed substitute resolve, in lines 7 to 15, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“The commission shall consist of the following 13 persons: the commissioner of the department of agricultural resources or a designee, who shall serve as the chair; the executive director of the office of travel and tourism or a designee; the house and senate chairs of the joint committee on tourism, arts and cultural development; the house and senate chairs of the joint committee on the environment, natural resources and agriculture; the house minority leader or designee; the senate minority leader or designee; the commissioner of the department of public health or a designee; and 4 members to be appointed by the governor, 1 of whom shall be a representative of the Massachusetts Municipal Association, Inc.; 1 of whom shall be a representative of the Massachusetts Farm Bureau Federation, Incorporated; and 2 of whom shall be representatives from the agricultural tourism industry.”.

The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then also was adopted; and there being no objection, the substituted resolve (House, No. 4962, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (Senate, No. 2668), be scheduled for consideration by the House.

Richard
Maynard,—
sick leave.

Under suspension of Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill authorizing the town of Hardwick to continue the employment of fire chief Raymond Walker (Senate, No. 2586) [Local Approval Received]; and

House bills

Relative to the retirement benefits of certain employees of the city of Chicopee (House, No. 4933) [Local Approval Received];

Establishing a sick leave bank for Charde Christophe (House, No. 4954); and

Establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (House, No. 4957);

Under suspension of Rule 7A, in each instance, on motion of Mr. O'Day of West Boylston, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Hardwick,—
Raymond
Walker.

Chicopee,—
benefits.

Charde Christophe.

John Woodward,—
sick leave.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Rachael Purnell, [sic] employee of the Middlesex Probate and Family Court (House, No. 4961).

Rachael Purnell,—
sick leave.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. for a term of up to 99 years (House, No. 4925).

Martha's Vineyard,—
land.

By the same member, for the same committee, on a joint petition, a Bill relative to amending Chapter 413 of the Acts of 1991 authorizing the city council of the city of Cambridge to amend chapter 14.04 of the Cambridge municipal code entitled "Fair Housing" (House, No. 4926) [Local Approval Received].

Cambridge,—
fair housing.

By the same member, for the same committee, on a joint petition, a Bill amending the town manager act of the town of Arlington (House, No. 4931) [Local Approval Received].

Arlington,—
town manager.

By the same member, for the same committee, on a petition, a Bill amending the act establishing a finance department in the town of Harvard (House, No. 4947) [Local Approval Received].

Harvard,—
finance department.

By the same member, for the same committee, on a petition, a Bill requiring the appointment of additional members to the Somerville Redevelopment Authority (House, No. 4951) [Local Approval Received].

Somerville,—
redevelopment authority.

By the same member, for the same committee, on a petition, a Bill establishing a board of selectmen-town administrator form of government for the town of Berlin (House, No. 4952) [Local Approval Received].

Berlin,—
government.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Authorizing the town of Whately to continue the employment of John Hannum (see House, No. 4547, amended); and

Bills enacted.

Authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (see House, No. 4621);

(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.

Senate bills

Allowing the city council of the city of Everett to set the salary for the clerk of the city council (Senate, No. 2514, amended); and

Third reading bills.

Amending the charter of the city of Everett to reduce the amount of time that a former city councilor is required to wait before holding other compensated city employment (Senate, No. 2516, amended);

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.

The House Bill relative to the proper bonding and grounding of corrugated stainless steel tubing (House, No. 4877) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Piping,—
inspection.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4969), 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. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

Representative Walsh of Peabody then moved that when the House adjourns today, it do so in respect to the memory of Frederick E. Berry, a member of the Senate from 1983 to 2012, inclusive; and the motion prevailed.

Accordingly, at twelve minutes before twelve o'clock noon, on motion of Mr. D'Emilia of Bridgewater (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, NOVEMBER 19, 2018.

[117]

JOURNAL OF THE HOUSE.

Monday, November 19, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

We give thanks today, God of Justice and Compassion, for the many blessings our small Commonwealth has enjoyed over the years. We ask Your blessing for our elected officials who serve our people in and through this historic chamber.

Prayer.

We remember in a spirit of gratitude that yesterday was the 301st anniversary of the incorporation of Westborough, a town of just over 18,000 residents located in Worcester County. Its most famous native son was Eli Whitney, the inventor of the cotton gin.

In 1848, Westborough became the home of the first publicly-funded reform school for boys in the United States. Today, Westborough is home to juvenile correction centers for both boys and girls. We pray for the children of our Commonwealth who need the assistance of such agencies to develop life skills and to receive a new start in their young lives.

Westborough is blessed to be served by three Representatives for whom we pray today; Danielle Gregoire, Carolyn Dykema, and Hannah Kane. We pray also for their staff and for the people of Westborough.

May God continue to bless our Commonwealth.

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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, third grade students from the L. H. Coffin School in Marblehead. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Ms. Ehrlich of Marblehead.

Marblehead,—
L. H. Coffin
School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, a group of students and their teachers from Stoughton High School. They were the guests of Messrs. Kafka of Stoughton and Galvin of Canton.

Stoughton
High School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Johanna Wang of the Consular Division of the Consulate of Taiwan in Boston. She was the guest of Mr. Wong of Saugus.

Taiwan,—
Johanna
Wang.

Resolutions.

Resolutions (filed with the Clerk by Mr. Smizik of Brookline and other members of the House) commemorating the celebration of Chanukah 2018, were referred under Rule 85, to the committee on Rules.

Chanukah.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Advisory Commission on Travel and Tourism (see Section 13H of Chapter 23A of the General Laws) containing budget recommendations and marketing strategies for promotion of travel and tourism to the Commonwealth; and

Travel and tourism,—marketing.

From the Dukes County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law];

Dukes County,—technology fund.

Severally were placed on file.

Annual Report.

The annual report of the Rural Policy Advisory Commission (under Section 66 of Chapter 23A of the General Laws) submitted by the Department of Housing and Community Development for the fiscal year 2018 [a copy was forwarded to the committee on Economic Development and Emerging Technologies, as required by said law], was placed on file.

Rural Policy Advisory Commission.

Paper from the Senate.

A Bill relative to the Springfield Technology Park (Senate, No. 2674) (on Senate bill No. 209), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Springfield Technology Park.

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 Kevin G. Honan, Joseph A. Boncore and others relative to the election of board members of local housing authorities. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition (accompanied by bill) was referred to the committee on Housing. Sent to the Senate for concurrence.

Housing authorities,—board members.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and

Scheduling, that the following House bills be scheduled for consideration by the House:

Establishing a board of selectmen-town administrator form of government for the town of Berlin (House, No. 4952) [Local Approval Received]; and

Establishing a sick leave bank for Rachael Purnell, [sic] employee of the Middlesex Probate and Family Court (House, No. 4961);

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Berlin,—
government.

Rachael
Purnell,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, No. 4934, an Order relative to authorizing the committee on Higher Education to make an investigation and study of a certain House document concerning student loan forgiveness (House, No. 4970). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Higher
Education,—
study.

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 Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Gina Parolisi, [sic] employee of the Haverhill District Court (House, No. 4966). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Gina
Parolisi,—
sick leave.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (see Senate, No. 2668), 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.

Richard
Maynard,—
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.

Engrossed Bills.

Engrossed bills

Allowing the city council of the city of Everett to set the salary for the clerk of the city council (see Senate, No. 2514, amended);

Bills
enacted.

Amending the charter of the city of Everett to reduce the amount of time that a former city councilor is required to wait before holding other compensated city employment (see Senate, No. 2516, amended);

(Which severally originated in the Senate);

Authorizing the merger of the Salvation Army of Massachusetts, Incorporated into the Salvation Army, a New York Corporation (see House, No. 3691);

Authorizing the appointment of retired Salem police officers as special police officers within the city of Salem (see House, No. 4705, amended); and

Authorizing the board of selectmen of the town of Arlington to place upon a town ballot a question to authorize the board of selectmen to issue 1 additional

license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4892);

(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.

House bills

Relative to representation on the board of trustees for soldiers' memorials in the town of Orange (House, No. 4145);

Relative to construction defect claims by condominium owners (House, No. 4236); and

Relative to excise tax revenue for the Chatham other post-employment benefits liability trust fund (House, No. 4781);

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.

Third reading bills.

The House Bill providing for the recall of elected officials in the town of Hanson (House, No. 4657), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Hanson,— recall elections.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 2, in lines 28 and 29, by striking out the following: "at least one hundred seventy (170) days" (as published) and inserting in place thereof the words "within a reasonable period of time determined by the town clerk", and in line 55 by striking out the words "on the date of the next town election" and inserting in place thereof the following: "within a reasonable period of time, but no earlier than 45 days from the town clerk's certification of the petition".

The amendments were adopted; and the bill (House, No. 4657, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next sitting.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, NOVEMBER 21, 2018.

[118]

JOURNAL OF THE HOUSE.

Wednesday, November 21, 2018.

Met at eight minutes after 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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

Gracious God, Giver of good gifts great and small, on this our national holy day, we offer You thanks for all things.

Awaken in us every day that gratitude which is the heart of all prayer. In recognizing the good we turn to You the Giver.

As our ancestors did before us, we give You thanks for the bounty of our land to be shared with our brothers and sisters, especially those in need.

May we always be hospitable to those outside our tribe as the Wompanoag sustained the pilgrims of Plymouth colony.

We give You thanks for the blessings we enjoy and we pray for a generous heart willing to share our blessings with others.

We give You thanks for the people who love us and for those who do not. May we live and work with them in a spirit of peaceful collaboration.

We thank You for good health and for our health care we have in Massachusetts. We thank You for the endurance You give us when we are sick and we thank You for the gift of hope when we find ourselves in times of trouble.

Give us the grace to find the best in each other, to forgive past hurts and to speak our truth with charity.

We pray all this in the name of Your law O God which is the law of love.

And finally we pray for Your continual blessing upon our Commonwealth. Amen.

Prayer.

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.

A message from His Excellency the Governor recommending legislation relative to ensuring the safety and soundness of the Commonwealth's natural gas infrastructure (House, No. 4979), was filed in the office of the Clerk on Tuesday, November 20.

Natural gas,—
infrastructure.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

Communication.

A communication from the Massachusetts Technology Development Corporation (MassVentures) (see Section 6 of Chapter 40G of the General Laws) submitting financial statements for the fiscal year 2018, was placed on file.

MassVentures.

Report.

A report of the Nantucket Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018, was placed on file.

Nantucket
Regional
Transit
Authority.

Petitions.

Mr. Berthiaume of Spencer presented a petition (subject Joint Rule 12) of Donald R. Berthiaume, Jr., for legislation to establish a sick leave bank for Brian Kennedy, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Brian Kennedy,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mrs. Gifford of Wareham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Lewis of Framingham, a petition (accompanied by bill, House, No. 4975) of Jack Lewis and Karen E. Spilka (by vote of the town) that the town of Ashland be authorized to create an economic development funding program within said town. To the committee on Economic Development and Emerging Technologies.

Ashland,—
economic
development.

By Mr. Lewis of Framingham, a petition (accompanied by bill, House, No. 4976) of Jack Lewis and Karen E. Spilka (by vote of the town) relative to the charter of the town of Ashland. To the committee on Municipalities and Regional Government.

Ashland,—
charter.

By Representative Cutler of Duxbury and Senator deMacedo, a joint petition (accompanied by bill, House, No. 4977) of Josh S. Cutler and Viriato M. deMacedo (by vote of the town) relative to health insurance benefits for certain retirees in the town of Pembroke. To the committee on Public Service.

Pembroke,—
retiree
benefits.

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 4978) of James Arciero (by vote of the town) that the town of Westford be authorized to establish a means tested senior citizen property tax exemption in said town. To the committee on Revenue.

Westford,—
property
tax.

Severally sent to the Senate for concurrence.

Paper from the Senate.

A petition of Nick Collins and Daniel Cullinane for legislation to establish a sick leave bank for Tyra Jackson, an employee of the Department of Mental Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Tyra Jackson,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2677) was referred, in concurrence to the committee on Public Service.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Peter Hayes, an employee of the Department of Children and Families (House, No. 4968). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Peter Hayes,—
sick leave.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mrs. Gifford of Wareham, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Requiring the appointment of additional members to the Somerville Redevelopment Authority (House, No. 4951) [Local Approval Received]; and

Somerville.

Establishing a sick leave bank for Gina Parolisi, employee of the Haverhill District Court (House, No. 4966);

Gina Parolisi,—
sick leave.

Under suspension of Rule 7A, in each instance, on motion of Mrs. Gifford of Wareham, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Katelyn Giliberti, an employee of the Department of Public Health (see House, No. 4945), 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.

Katelyn
Giliberti,—
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 2 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (see Senate, No. 2668) (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 relative to real property tax deferrals in the town of Arlington (see House, No. 4916) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The House Bill establishing a sick leave bank for Charde Christophe, an employee of the Department of Youth Services (House, No. 4954) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill.

The House Bill establishing a sick leave bank for Rachael Purnell, an employee of the Trial Court (House, No. 4961) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Rachael Purnell,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4980), 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. DeLeo of Winthrop,—

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 before twelve o'clock noon, on motion of Mrs. Gifford of Wareham (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, NOVEMBER 26, 2018.

[119]

JOURNAL OF THE HOUSE.

Monday, November 26, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. O'Day of West Boylston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Hope and Endurance, we pray in a spirit of gratitude for the many blessings our Commonwealth enjoys. One of these blessings includes our ability to witness the recent display of powerful ocean tides.

Prayer.

We remember that today marks the anniversary of the 1898 maritime disaster, the sinking of the steamship Portland. The luxurious ship was filled with passengers heading back to Maine after visiting relatives in Boston for the Thanksgiving holiday. Shortly after leaving India Wharf, the side-wheel steamer encountered a quickly developing nor-easter with hurricane-force winds. It is believed that about 190 persons drowned, but the exact number of souls perished is unknown as the only passenger list was on board the unprepared vessel that was ill-equipped for rough seas.

As a result of this tragedy, there was a halt to the sailing on ocean waters of all side-wheel vessels as they lacked depth in draught as well as a new maritime regulation requiring a copy of all passenger lists be left with officials at ports of departure.

We pray for our legislators and their staff as they continue to navigate their way amid sometimes choppy political waters.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. O'Day), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Luke Davies on receiving the Eagle Award from the Boy Scouts of America;

Luke
Davies.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Candace Collins-Boden on her retirement and honoring her for her dedicated years of distinguished service to the Provincetown Chamber of Commerce and to the community; and

Candace
Collins-Boden.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Michael P. Pakstis on the occasion of his retirement from the town of Wellesley;

Michael
Pakstis.

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. Walsh of Peabody, the resolutions (reported by the

committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Messrs. Puppolo of Springfield and Scibak of South Hadley presented a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., and John W. Scibak for legislation to establish a sick leave bank for John S. Gay, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

John Gay,—
sick leave.

Papers from the Senate.

The House Bill authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (House, No. 4551, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 2, inserting after the word “contrary”, the following: “but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Auburn,—
land.

A petition (accompanied by bill, Senate, No. 2675) of Bruce E. Tarr and Leonard Mirra (by vote of the town) for legislation to establish a selectmen-administrator form of government for the town of Newbury, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Newbury,—
charter.

Report of a Committee.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill amending the town manager act of the town of Arlington (House, No. 4931) [Local Approval Received], be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Walsh of Peabody, the bill was read a second time forthwith; and it was ordered to a third reading.

Arlington,—
town manager.

Engrossed Bill.

The engrossed Bill relative to the Orleans affordable housing trust fund (see House, No. 4645) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill adding a fifth member to the Board of Elections Commission in the city of Everett (Senate, No. 2658), 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 authorizing the town of Ayer to grant an additional license for

Id.

the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4907), 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. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next sitting.

At nine minutes after eleven o'clock A.M., on motion of Mr. Vieira of Falmouth (Mr. O'Day of West Boylston being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 29, 2018.

[120]

JOURNAL OF THE HOUSE.

Thursday, November 29, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Creativity and Imagination we give thanks for our Commonwealth's legacy of educators and writers as we remember today the birth anniversaries of Bronson Alcott and his daughter Louisa May.

The educator and philosopher was born in 1799. He founded various schools in and around Boston and employed experimental methods in educating children, often unsuccessfully.

Moving his family 22 times in thirty years brought instability and financial hardship to his wife and children. Despite that, his daughter Louisa May, born on this day in 1832, managed to become a successful author penning her most well-known work, "Little Women" after the American Civil War.

We pray for our legislators as they also put pen to ink in creating legislation to benefit our state's residents. We pray in a special way for 3rd Suffolk Representative Aaron Michlewitz and his staff whose Beacon Hill district includes the house on Louisburg Square where the Alcott father and daughter passed from this life just two days apart in 1888.

May God continue to bless our Commonwealth.

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.

Messages from the Governor.

A message from His Excellency the Governor (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the retirement benefits of Sean M. Gannon, a fallen police officer in the town of Yarmouth (House, No. 4982), was filed in the office of the Clerk on Tuesday, November 27.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Public Service. Sent to the Senate for concurrence.

A message from His Excellency the Governor (under the provisions of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (House, No. 4983), was filed in the office of the Clerk on Tuesday, November 27.

The message was read; and it was referred, under Rule 30, with the

Prayer.

Pledge of
allegiance.

Yarmouth,—
Sean Gannon.

Yarmouth,—
Christopher
Van Ness.

accompanying draft of a bill, to the committee on Public Service. Sent to the Senate for concurrence.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, Boy Scout Troop 511 from Burlington. At the invitation of the Chair, the guests participated in the pledge of allegiance to the flag. They were the guests of Mr. Gordon of Burlington.

Boy Scout
Troop 511.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, the 5th grade students from the Cottage Street School in Sharon. They were accompanied their teachers Tiffani Caron, Diana Kinney, Amber Matton, and Florence Smith. They were the guests of Representative Kafka of Stoughton and Senator Timilty.

Cottage Street
School.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Arciero of Westford) commemorating the year 2018 celebration of Chanukah by Chabad of Nashoba Valley;

Chabad of
Nashoba Valley.

Resolutions (filed by Mr. Lewis of Framingham) recognizing Ambassador Glivânia De Oliveira's service to the Commonwealth as Consul-General of Boston;

Glivânia De
Oliveira.

Resolutions (filed by Mr. Nangle of Lowell) congratulating George Bossi on the occasion of his retirement; and

George
Bossi.

Resolutions (filed by filed by Messrs. Roy of Franklin and Murray of Milford) congratulating Justin P. Twamley on receiving the Eagle Award of the Boy Scouts of America;

Justin
Twamley.

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. Speliotis of Danvers, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Mr. Vieira of Falmouth presented a petition (accompanied by bill, House, No. 4987) of David T. Vieira and Julian Cyr (by vote of the town) that the town of Mashpee be authorized to establish a sewer construction and water quality maintenance and improvement fund in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Mashpee,—
sewer and
water fund.

Papers from the Senate.

The House Bill establishing a sick leave bank for Heather Tavares, an employee of the Department of Children and Families (House, No. 4900), came from the Senate passed to be engrossed, in concurrence, with an amendment in line

Heather
Tavares,—
sick leave.

4, inserting after the word “Tavares”, the first time it appears, the words “to care for her children”. 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.

A Bill amending the charter of the city of Somerville (Senate, No. 2676) (on Senate bill 2664), passed to be engrossed by the Senate, was read, and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Somerville,—
charter.

The following notice was received from the Clerk of the Senate, to wit:—
November 29, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Karen E, Spilka, President of the Senate, has announced the following appointments:

David Sullivan (pursuant to Section 14 of Chapter 207 of the Acts of 2018) to the Tax Expenditure Commission;

Tax
expenditures.

Senator Michael O. Moore, Jill Dixon of Framingham and Lesley Kinney of Medway (pursuant to Section 79 of Chapter 154 of the Acts of 2018) to the Early Education and Care Workforce Council; and

Early Education
and Care
Council.

Meenakshi Bharath of Hopkinton (pursuant to Section 68 of Chapter 3 of the General Laws) to the Commission on the status of citizens of Asian descent; and

Asian descent,—
commission.

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced the following appointments:

Senator Patrick M. O’Connor (pursuant to Section 95 of Chapter 209 of the Acts of 2018) as his designee to the Special Commission to scope a state grant or low-interest loan program for structural elevation or acquisition of properties prone to flooding in the Commonwealth;

Flooding,—
property.

Senator Donald F. Humason, Jr. (pursuant to Section 103 of Chapter 154 of the Acts of 2018) to the Special Commission to study the financial and economic impacts of crumbling concrete foundations due to the presence of pyrrhotite;

Pyrrhotite
commission.

Senator Ryan C. Fattman (pursuant to Section 44 of Chapter 218 of the Acts of 2018) to the Special Commission to study the cost and feasibility of exempting veterans of the Commonwealth due from tuition, fees and associated costs of attending public colleges and universities in the commonwealth, due to recent changes in federal veteran services and benefits related to higher education;

Veterans,—
higher
education.

Senator Patrick M. O’Connor (pursuant to Section 97 of Chapter 209 of the Acts of 2018) to the Special Commission to make an investigation and study relative to ocean acidification;

Ocean
acidification
commission.

Senator Dean A. Tran (pursuant to Section 76 of Chapter 154 of the Acts of 2018) to the Special Commission on brain injury; and

Brain injury
commission.

Senator Ryan C. Fattman (pursuant to Chapter 3 of the Resolves of 2016) to the Special Commission on Local and Regional Public Health replacing Senator Richard J. Ross.

Local, etc.
public health
commission.

Respectfully submitted,



WILLIAM F. WELCH,
Clerk of the Senate.

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 petition of Angelo J. Puppolo, Jr., and John W. Scibak for legislation to establish a sick leave bank for John S. Gay, an employee of the Trial Court. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

John Gay,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill amending the act establishing a finance department in the town of Harvard (House, No. 4947) [Local Approval Received], be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Harvard,—
finance
department.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a message from His Excellency the Governor, a Bill authorizing the town of Hanover to grant abatement of real estate taxes to [sic] certain surviving spouse (printed in House, No. 4955).

Hanover,—
tax abatement.

By the same member, for the same committee, on House, No. 4949, a Bill authorizing the town of Harvard to establish a cap on property taxes for means tested seniors (House, No. 4984) [Local Approval Received].

Harvard,—
property
taxes.

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 Heather Tavares, an employee of the Department of Children and Families (see House, No. 4900, 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.

Heather
Tavares,—
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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Adding a fifth member to the Board of Elections Commission in the city of Everett (see Senate, No. 2658) (which originated in the Senate);

Bills
enacted.

Designating a certain exit on State Route 18 the Giammalvo Family Memorial Exit (see House, No. 4912); and

Authorizing the city of Chicopee to establish a water and sewer department (see House, No. 4914);

(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 engrossed Bill relative to consumer protection from security breaches (see House, No. 4806), which had been returned by His Excellency the Governor with recommendation of amendments (for message see House, No. 4873), was considered.

Security
breaches,—
consumer
protection.

The committee on Bills in the Third Reading reported recommending that the amendments recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

Pending the question on adoption of the amendments recommended by the Governor, Mr. Speliotis of Danvers moved that they be amended by striking out the text of said amendments and inserting in place thereof the following:

“SECTION 3. Said chapter 93 is hereby further amended by inserting after section 51A the following section:—

Section 51B. (a) Except for the purposes described in section 51 and in 15 U.S.C. section 1681b, a user shall not obtain, use or seek the consumer report of a consumer in connection with an original or initial application of credit unless the user: (i) obtains the prior written, verbal or electronic consent of the consumer, as is appropriate for the manner in which the transaction or extension of credit was negotiated or entered into; and (ii) discloses, prior to obtaining the consumer’s consent, the user’s reason for accessing the consumer report to the consumer.

(b) This section shall not apply to users who seek or obtain from consumer reporting agencies a consumer report pursuant to section 51 and 15 U.S.C. section 1681b.

(c) Nothing shall prohibit a user who has already secured the consent of the consumer, or an investor or potential investor of an existing credit obligation, from obtaining a consumer report in connection with: (i) the same transaction; (ii) reviewing an existing account; (iii) increasing the credit line on an existing account; (iv) taking collection action on an existing account; (v) providing products and services or offering of products and services to an existing consumer’s account.

(d) A user shall not require or request that a consumer waive this section and any such waiver shall be void. Failure to comply with this section shall be an unfair practice under clause (a) of section 2 of chapter 93A.

(e) Notwithstanding the restrictions of this section, the department of children and families may obtain a consumer report for any child in the department’s custody

who is 14 years of age or older without obtaining the consent of the child or disclosing to the child the department's reason for accessing the consumer report in order to fulfill the department's obligations pursuant to 42 U.S.C. section 675(5)(I), Public Law 113-183 and section 52A, or any other similar requirement of federal or state law.”; and in section 10 by adding the following paragraph:

“(f) The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section and section 3A.”.

The further amendments were adopted, thus precluding a vote on the amendments recommended by the Governor. Sent to the Senate for its action.

House bills

Relative to the powers and duties of the town manager in the town of Hanover (House, No. 4658); and

Authorizing the appointment of special police officers in the town of Stoughton (House, No. 4918);

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. Sent to the Senate for concurrence.

Third reading bills.

The House Bill establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (House, No. 4957), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the Hampshire county sheriff's department, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 4957, amended) was passed to be engrossed. Sent to the Senate for concurrence.

John Taylor Woodward,— sick leave.

The House Bill establishing a sick leave bank for Gina Parolisi, an employee of the Trial Court (House, No. 4966) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4986), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Gina Parolisi,— sick leave.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday

Next

next at eleven o'clock A.M.

sitting.

At sixteen minutes after twelve o'clock noon, on motion of Mr. Vieira of Falmouth (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 3, 2018.

[121]

JOURNAL OF THE HOUSE.

Monday, December 3, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

Loving God, we give thanks today for the many persons born in this Commonwealth who have served our country. We remember today the late George Herbert Walker Bush, the 41st president of the United States.

Born in Milton in 1924, he attended Philips Academy in Andover. As president, he is remembered for many things including his efforts to work collaboratively with those he disagreed. We give thanks for this native son and we pray for his family and our nation as we remember his achievements.

We pray for our women and men of this chamber as they also strive to work together to help make our Commonwealth a good home for the many.

May God continue to bless our Commonwealth.

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.

Prayer.

Pledge of allegiance.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, parents of students from the South Row Elementary School in Chelmsford. At the invitation of the Chair, the parents participated in the pledge of allegiance to the flag. They were the guests of Mr. Golden of Lowell.

South Row
Elementary
School parents.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Peisch of Wellesley) honoring Alexander Cracraft on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Ms. Peisch of Wellesley) honoring Christiaan Eikeboom on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Rogers of Norwood) congratulating Stephen Joseph Ayoub of Norwood Boy Scout Troop 49 on earning the Eagle Scout Award;

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. Golden of Lowell, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered

Alexander
Cracraft.

Christiaan
Eikeboom.

Stephen
Ayoub.

forthwith; and they were adopted.

Papers from the Senate.

A Bill authorizing the town of Wenham to make permanent improvements to certain private ways and assess betterments (Senate, No. 2678) (on Senate bill No. 2662) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wenham,—
betterments.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2679) of Barbara A. L'Italien for legislation to establish a sick leave bank for Robert Socha, an employee of the Department of Correction; and

Robert
Socha,—
sick leave.

Petition (accompanied by bill, Senate, No. 2680) of Michael O. Moore and Paul K. Frost for legislation to establish a sick leave bank for Maria Krull, an employee of the Department of Transitional Assistance;

Maria Krull,—
sick leave.

Severally to the committee on Public Service.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Authorizing the town of Hanover to grant abatement of real estate taxes to certain surviving spouse (printed in House, No. 4955); and

Hanover,—
tax abatement.

Authorizing the town of Harvard to establish a cap on property taxes for means tested seniors (House, No. 4984) [Local Approval Received].

Harvard,—
property taxes.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, 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 message from His Excellency the Governor, a Bill regarding the authorization of the town of Wareham to issue an additional license for the sale of wines and malt beverages to be drunk on the premises (printed in House, No. 4958).

Wareham,—
liquor license.

By Mr. Parisella of Beverly of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for William P. Kearny, Jr., an employee of Massachusetts Department of Transportation (House, No. 4974).

William
Kearny—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Brian Kennedy, an employee of the Massachusetts Department of Transportation (House, No. 4985).

Brian
Kennedy,—
sick leave.

Severally read; and referred, under Rule 7A, to the committee on Steering Policy and Scheduling.

Orders of the Day.

The Senate Bill providing for recall elections in the town of Uxbridge (Senate,

Uxbridge,—

No. 2589), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

elections.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it in section 1, in line 17, by striking out the words “petition blanks” and inserting in place thereof the word “affidavit”, in line 34, by striking out the words “election is ordered” and inserting in place thereof the words “date of the certification of the petitions”, in line 36, by inserting after the word “certification” the words “of the petition”; and, in lines 40 to 43, inclusive, by striking out the words “An official whose recall is sought shall be a candidate to succeed to the same office unless the official requests otherwise. If the official requests otherwise in writing, the town clerk shall place the name of the official on the ballot without nomination” and inserting in place thereof the words “Unless an official whose recall is sought requests otherwise in writing, the town clerk shall place the name of the official on the ballot without nomination and the official shall be a candidate to succeed the same office”.

The amendments were adopted; and the bill (Senate, No. 2589, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

The Senate Bill authorizing the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (Senate, No. 2596), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Berkley,—
liquor
licenses.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it in in section 1, in lines 2, 3 and 4, by striking out the following: “alcoholic beverages not to be drunk on the premises to Berkley Farms located at 539 Berkley Street, pursuant to section 15 of said chapter 138” and inserting in place thereof the following: “all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Berkley Farms Convenience Store, Inc. located at 539 Berkley street”.

The amendment was adopted; and the bill (Senate, No. 2596, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill authorizing the city of Worcester to lease a certain building known as the Nurses’ Building (House, No. 4534) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Worcester,—
lease.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 4, by striking out the words “in excess of thirty” (as printed) and inserting in place thereof the following: “not to exceed 99”.

The amendment was adopted; and the bill (House, No. 4534, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Stoneham to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4804), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Stoneham,—
liquor
licenses.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it section 1, in lines 2 and 6, by striking out the figures:

“17” and inserting in place thereof, in each instance, the figures: “11”.

The amendments were adopted; and the bill (House, No. 4804, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At nine 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 day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, DECEMBER 4, 2018.

[122]

JOURNAL OF THE HOUSE.

Tuesday, December 4, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Life and Vitality, we give You thanks and praise today for the many gifted individuals who over the centuries have made Massachusetts their home. Yesterday marked the anniversary of the 1755 birth of the artist Gilbert Stuart whose portraits include the first six presidents of the United States. It was his image of George Washington that appears on the one dollar bill.

Prayer.

Though not born here, he made Boston his home the last 23 years of his life. He is buried in the Old South Burial Ground on Boston Common.

We pray for our women and men in this chamber whose office enables them to collaborate on creative works of legislation.

We pray too in thanksgiving for the ongoing artistry that is seen in the lives of so many residents of Massachusetts, young and old.

May God continue to bless our Commonwealth.

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 Prayers.

During the session, the Speaker took the Chair, and on behalf of himself and Mr. Jones of North Reading, addressed the House, as follows:

President
George
H.W. Bush.

Today we honor the memory of President George H.W. Bush, a war hero and family man of great integrity, and his long career in selfless service to the people of the United States.

Our 41st President was born in Milton, Massachusetts and enlisted in the Navy at age 18. He flew combat missions during World War II and went on to serve in Congress before leading the CIA and becoming our nation's Vice President prior to being elected President. He continued his service to the public long after he left the Oval Office including heading up efforts to help victims of Hurricane Katrina and the devastating tsunami in Asia in 2004. Our thoughts are with his family on behalf of a grateful Commonwealth.

The members, guests and employees then stood in a moment of silent tribute to the beloved former President.

During the session (the Speaker being in the Chair), at the request of Representatives Fiola of Fall River, Silvia of Fall River and Schmid of Westport, the members, guests and employees stood in a moment of silent tribute to the memory of Sergeant First Class Eric Michael Emond, a member of the Army's

Sergeant
First Class
Eric Michael
Emond.

special forces, who was killed in action on Tuesday, November 27th by a roadside bomb in Afghanistan.

Sergeant First Class Emond was born in Boston and grew up in Fall River. He had more than 21 years of military service and was on his seventh overseas tour. Sergeant First Class Emond had been awarded the Bronze Star and the Purple Heart, among many other decorations.

He leaves behind his wife and three children.

Petition.

Representative Muradian of Grafton and Senator Moore presented a joint petition (accompanied by bill, House, No. 4989) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) relative to the town manager of the town of Upton; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Upton,—
town
manager.

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 petition of Rady Mom for legislation to establish a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health. Under suspension of the rules, on motion of Mr. Mom of Lowell, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Aaron
Nyahn,—
sick leave.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill to protect locked out employees (House, No. 3133), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4988). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Locked out
employees.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Cabral of New Bedford, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill authorizing the town of Wenham to make permanent improvements to certain private ways and assess betterments (Senate, No. 2678) [Local Approval Received]; and

Wenham,—
betterments.

House bills

Authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. for a term of up to 99 years (House, No. 4925);

Martha's
Vineyard,—
land.

Establishing a sick leave bank for William P. Kearny, Jr., an employee of Massachusetts Department of Transportation (House, No. 4974); and

William
Kearny.

Establishing a sick leave bank for Brian Kennedy, an employee of the

Brian

Massachusetts Department of Transportation (House, No. 4985).

Kennedy.

Under suspension of Rule 7A, in each instance, on motion of Mr. Silvia of Fall River the bills severally were read a second time forthwith; and they were ordered to a third reading.

Engrossed Bill.

The engrossed Bill designating a certain bridge in the town of West Boylston as the Specialist Kyle A. Little memorial bridge (see House, No. 4904) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Valedictory Addresses.

The Speaker being in the Chair,—

The following members, who were not returning for the 2019-2020 Legislative Session, then addressed the House regarding their departure from service in the House of Representatives: Representatives Matias of Lawrence; Carvalho of Boston; DiZoglio of Methuen; Orrall of Lakeville; Diehl of Whitman; Kuros of Uxbridge; Lyons of Andover; Scibak of South Hadley; Sánchez of Boston; Smizik of Brookline; Atkins of Concord; Kaufman of Lexington; and Kulik of Worthington.

Valedictory Addresses.

Distinguished Guests of the House.

During the course of the valedictory addresses, the Speaker introduced former Speakers Flaherty and DiMasi, Senators L'Italien and Rush, and former Representatives Michael J. DeVito, Rachel Kaprelian, Kathi-Anne Reinstein, Tom Sannicandro and Martha M. Walz, who were in attendance for the farewell addresses of the members and former members.

Former members.

Quorum.

Mr. Donato of Medford being in the Chair,—

Subsequently, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, at twenty-six minutes before four o'clock P.M., under House Rule 82, declared an adjournment of the House, until Thursday next at eleven o'clock A.M., in an Informal Session.

Quorum.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 6, 2018.

[123]

JOURNAL OF THE HOUSE.

Thursday, December 6, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God, Source of Life, we offer thanks and praise for the crisp, fresh air and morning sunshine. We give thanks for those past residents whose efforts have improved the lives of all Americans. We honor one such person whose death occurred on this date in 1879. Erastus Bigelow was the inventor of large scale looms used primarily for producing carpets. His inventions made it possible for many people to purchase carpets for their homes as hand woven carpets were too expensive. The town of Clinton came to being through the mills Bigelow and his brother Horatio built for mass production. The town derived its name from the Dewitt Clinton Hotel where the Bigelow brothers liked to stay when they visited New York City.

The late actress Agnes Moorehead was born in Clinton on this day in 1900.

We pray for our legislators and especially today for 12th Worcester Representative Harold Naughton and his staff.

May God continue to bless our Commonwealth.

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.

Appointment to a Special Commission.

The Minority Leader announced that he had appointed Representative Hunt of Sandwich to serve as his designee on the Tax Expenditure Commission established (under Chapter 207 of the Acts of 2018) to examine, evaluate and report on the administration, effectiveness and fiscal impact of tax expenditures.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Jack Ryan Moitoza on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. McMurtry of Dedham) recognizing the Honorable Marie-Louise Kehoe on the occasion of her ninetieth birthday;

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. Kafka of Stoughton, the resolutions (reported by the

Prayer.

Pledge of
allegiance.

Tax Expenditure
Commission.

Jack
Moitoza.

Marie-Louise
Kehoe.

committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Mr. Vieira of Falmouth presented a petition (accompanied by bill, House, No. 4990) of David T. Vieira, Viriato M. deMacedo and Randy Hunt (by vote of the town) relative to the Bourne Recreation Authority; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Bourne
Recreation
Authority.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill amending the charter of the city of Somerville (Senate, No. 2676) [Local Approval Received]; and

Somerville,—
charter.

House bills

Relative to amending Chapter 413 of the Acts of 1991 authorizing the city council of the city of Cambridge to amend chapter 14.04 of the Cambridge municipal code entitled “Fair Housing” (House, No. 4926) [Local Approval Received]; and

Cambridge,—
housing
regulations.

Regarding the authorization of the town of Wareham to issue an additional license for the sale of wines and malt beverages to be drunk on the premises (printed in House, No. 4958);

Wareham,—
liquor
license.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Honan of Boston, for the committee on Housing, on a joint petition, a Bill relative to local housing authority board member elections (House, No. 4981). Read; and referred, under Rule 33, to the committee on Ways and Means.

Housing
authorities,—
membership.

Orders of the Day.

Senate bills

Establishing a sick leave bank for Laurie Wendover, an employee of the Department of Correction (Senate, No. 2083, amended); and

Third
reading
bills.

Authorizing the town of Wenham to make permanent improvements to certain private ways and assess betterments (Senate, No. 2678);

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 the Massachusetts Water Resources Authority to supply water to the town of Burlington (House, No. 4801, changed);

Id.

Establishing a sick leave bank for Peter Hayes, an employee of Department of Children and Families (House, No. 4968); and

Establishing a sick leave bank for William P. Kearny, Jr., an employee of

Massachusetts Department of Transportation (House, No. 4974);

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 House Bill protecting locked out employees (House, No. 4988) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Employees,—
benefits.

Pending the question on passing the bill to be engrossed, Mr. Jones of North Reading moved to amend it in section 1, in line 6, by inserting after the following: “chapter 151A of the General Laws” (as changed by the committee on Bills in the Third Reading) the words “; provided that this shall not apply to any electric company or gas company owned by a municipality or municipal lighting plants”; and the amendment was adopted.

The same member then moved to amend the bill by adding the following two sections:

“SECTION 2. Section 1 is hereby repealed.

SECTION 3. Section 2 shall take effect on January 1, 2023.”.

The amendment was adopted; and the bill (House, No. 4988, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next
sitting.

At sixteen 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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 10, 2018.

[124]

JOURNAL OF THE HOUSE.

Monday, December 10, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God, Source of Life, we give thanks today for our state's treasury of cultural and artistic achievements. Today we honor the anniversary of the 1830 birth of one of America's most famous poets, Emily Dickinson.

Dickinson lived her entire life in Amherst, with most of her 55 years spent on the same parcel of land as she walked back and forth from her parents' home to her brother Austin's property. Later in life she became a recluse and would not be seen by most outsiders, thus acquiring the nickname, "the Lady in White".

Much of her poems, about 1800 in number, were not discovered until after her death. Her poetry had a variety of themes, but later focused on the brevity of life.

We pray for our legislature in their efforts to put words to paper and today we pray especially for 3rd Hampshire District Representative Solomon Goldstein-Rose and his staff.

May God continue to bless our Commonwealth.

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.

Silent Prayer.

At the request of Representatives Kane of Shrewsbury, Donahue of Worcester, Keefe of Worcester, Mahoney of Worcester, Campanale of Leicester and O'Day of West Boylston, the members, guests and employees stood in a moment of silent tribute to the memory of Worcester firefighter Christopher Roy, 36, who died yesterday while fighting a five-alarm fire in Worcester.

He leaves behind a 9-year-old daughter, a brother and his parents, Michele and Ronald Roy, who live in Worcester. The Shrewsbury resident had been with the department for 2 1/2 years.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, students from debate class at Mansfield High School. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Barrows of Mansfield.

Prayer.

Pledge of
allegiance.

Christopher
Roy.

Mansfield
High School,—
debate class.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, students and chaperones from the Metrowest Jewish Day School in Framingham. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Lewis of Framingham.

Metrowest
Jewish Day
School.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives DiZoglio of Methuen, Campbell of Methuen and Moran of Lawrence) recognizing the twenty-fifth annual Methuen Festival of Trees; and

Methuen,—
Festival
of Trees.

Resolutions (filed by Mr. Roy of Franklin) recognizing the Honorable Victor Angelo Pisini on the occasion of his ninetieth birthday;

Victor
Pisini.

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. Lewis of Framingham the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Representative Vincent of Revere and Senator Boncore presented a joint petition (subject to Joint Rule 12) of RoseLee Vincent and Joseph A. Boncore for legislation to establish a sick leave bank for Michael Hooton, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Michael
Hooton,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mr. Kulik of Worthington presented a petition (accompanied by bill, House, No. 4995) of Stephen Kulik (by vote of the town) that the town of Montague be authorized to grant an additional liquor license for the sale of wines and malt beverages to be drunk on the premises; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Montague,—
liquor license.

Mr. Moran of Boston presented a petition (subject to Joint Rule 12) of Michael J. Moran relative to single-rider electric scooters or bicycles, so-called micro-mobility devices; and the same was referred, under Rule 24, to the committee on Rules.

Micro-mobility
devices.

Papers from the Senate.

Bills

Exempting all positions in the police department of the city of North Adams from the civil service law (Senate, No. 2666) (on a petition) [Local Approval Received]; and

North Adams,—
civil service.

Regarding the authorization of the town of Sturbridge to grant an additional license for sale of all alcoholic beverages (printed in Senate, No. 2673) (on a message from His Excellency the Governor);

Sturbridge,—
liquor
license.

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 petition of Marc R. Pacheco and Susan Williams Gifford for legislation to establish a sick leave bank for Cheryl Ann Gracia, an employee of the Trial Court of the Commonwealth, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Cheryl Ann
Gracia,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2683) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for John S. Gay, an employee of the Trial Court of the Commonwealth (House, No. 4992). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

John Gay,—
sick leave.

Mr. Murphy of Weymouth, for said committee, then reported that matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill establishing the DHY Clean Waters Community Partnership for the towns of Dennis, Harwich and Yarmouth (House, No. 4971, changed in section 2, in lines 17 and 20, and in section 7, in line 163, by striking out the figure: “2” and inserting in place thereof, in each instance, the figure: “3”). Read; and referred, under Rule 33, to the committee on Ways and Means.

DHY Clean
Waters.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to elections for fire district number 2 in the town of South Hadley (House, No. 4963).

South Hadley,—
elections.

By the same member, for the same committee, on a petition, a Bill relative to elections for fire district number 1 in the town of South Hadley (House, No. 4964).

Id.

By the same member, for the same committee, on a petition, a Bill relative to election locations for fire district number 2 in the town of South Hadley (House, No. 4965).

Id.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4972, a Bill relative to placing a plaque at the McCarthy Pavilion in the city of Revere in memory of Grace Hill Sannella (House, No. 4993).

Grace
Sannella,—
plaque.

By the same member, for the same committee, on House, No. 4973, a Bill designating the state pool for children in the town of Clinton as the Liberty M.

Clinton,—
pool.

Arnold-Simon memorial children's pool (House, No. 4994).

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 Laurie Wendover, an employee of the Department of Correction (see Senate, No. 2083, 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.

Laurie
Wendover,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVII (as amended by Article LXVII) of the Amendments to the Constitution; and the emergency preamble was adopted, by a vote of 6 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; it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Rachael Purnell, an employee of the Trial Court (see House, No. 4980), 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.

Rachael
Purnell—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVII (as amended by Article LXVII) of the Amendments to the Constitution; and the emergency preamble was adopted, by a vote of 6 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; it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (see Senate, No. 2596, amended);

Bills
enacted.

Authorizing the town of Wenham to make permanent improvements to certain private ways and assess betterments (see Senate, No. 2678);

(Which severally originated in the Senate); and

Authorizing the town of Foxborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4768) (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 engrossed Bill relative to the lease of certain yacht clubs on land owned by the Commonwealth (see House, No. 4824), which had been returned by His

Yacht clubs,—
leases.

Excellency the Governor with recommendation of amendment (for message see Attachment F of House, No. 4833), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

Pending the question on adoption of the amendment recommended by the Governor, Mr. Speliotis of Danvers moved that it be amended by striking out the text of said amendment and inserting in place thereof the following:

“Chapter 65 of the acts of 2010 is hereby amended by inserting after section 2 the following section:-

Section 2A. Notwithstanding any general or special law to the contrary, the leases or other agreements executed under section 1 shall not require an annual rental payment increase of more than 3 per cent of the established rental or permit payment rate for each lease or other agreement as of January 1, 2015. This section shall not apply to any lease or other agreement executed by a club associated with an institution of higher education.”.

The further amendment was adopted, thus precluding a vote on the amendment recommended by the Governor. Sent to the Senate for its action.

The House Bill requiring the appointment of additional members to the Somerville Redevelopment Authority (House, No. 4951), 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. Sent to the Senate for concurrence.

Third reading bill.

The House Bill relative to the removal of certain elected financial officials for the town of Sherborn (House, No. 4533) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Sherborn,—officials.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4996), 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. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next sitting.

At twenty-one minutes before twelve o'clock noon, on motion of Mrs. 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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 13, 2018.

[125]

JOURNAL OF THE HOUSE.

Thursday, December 13, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Ultrino of Malden in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

We give thanks to You, God of Vitality and Strength, for the legacy of our Commonwealth's history of establishing creative industries.

Prayer.

This weekend marks the 1792 birth of Abbott Lawrence, considered the founder of the city of Lawrence. Along with his brothers, Lawrence established several cotton and wool textile mills along the Merrimack Valley.

Today we remember the remaining households in Lawrence that are still awaiting their ability to use natural gas that was lost in the gas line explosions of September.

We pray for Lawrence's elected officials who serve in this chamber, Representatives DiZoglio, Matias, and Moran.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Ultrino), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Petition.

Mr. Donato of Medford presented a petition (subject to Joint Rule 12) of Paul J. Donato relative to the retirement benefits of Harold F. MacGilvray, Jr., a former police officer of Metropolitan District Commission police; and the same was referred, under Rule 24, to the committee on Rules.

Harold MacGilvray,—
benefits.

Papers from the Senate.

Bills

Providing for provisional licensure for speech-language pathologists (Senate, No. 137, amended in section 1, in line 10, by inserting after the word "for" the words "a provisional") (on a petition) (also based on House, No. 2825); and

Speech-language pathologists,—
licensure.

Improving juror service (Senate, No. 771) (on House, No. 750);

Jurors.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

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 Rules 12 and 7A be

Gary Premo,—
benefits.

suspended on the petition of Jeffrey N. Roy and Richard J. Ross that Gary M. Premo be authorized to buy back creditable service from the Norfolk County Retirement System. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Parisella of Beverly, for the committee on Public Service, on a message from His Excellency the Governor, a Bill relative to the retirement benefits of Sean M. Gannon, a fallen police officer in the town of Yarmouth (printed in House, No. 4982).

Yarmouth,—
Sean Gannon.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (printed in House, No. 4983).

Yarmouth,—
Christopher
Van Ness.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health (House, No. 4991).

Aaron
Nyahn,—
sick leave.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

Under suspension of the rules, 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 Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Exempting all positions in the police department of the city of North Adams from the civil service law (Senate, No. 2666) [Local Approval Received]; and

North Adams,—
civil service.

Regarding the authorization of the town of Sturbridge to grant an additional license for sale of all alcoholic beverages (printed in Senate, No. 2673); and

Sturbridge,—
liquor license.

House bills

Relative to elections for fire district number 2 in the town of South Hadley (House, No. 4963);

South Hadley
fire district.

Relative to elections for fire district number 1 in the town of South Hadley (House, No. 4964);

Id.

Relative to election locations for fire district number 2 in the town of South Hadley (House, No. 4965);

Id.

Relative to placing a plaque at the McCarthy Pavilion in the city of Revere in memory of Grace Hill Sannella (House, No. 4993); and

Revere,—
pavilion.

Designating the state pool for children in the town of Clinton as the Liberty M. Arnold-Simon memorial children's pool (House, No. 4994);

Clinton,—
pool.

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 Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill relative to health insurance benefits for certain retirees in the town of Pembroke (House, No. 4977) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Pembroke,—
retirees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to allowing employees of the Western Massachusetts Emergency Communications District to become members of the Hampden County retirement system (House, No. 4967). Read; and referred, under Rule 33, to the committee on Ways and Means.

Hampden
County,—
communications
district.

By Mr. O’Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill approving the town of Ashland Home Rule Charter as amended and as voted in Article 34 of the annual town meeting of the town of Ashland including parts I through IX by repealing Chapter 405 of the Acts of 2008 and replacing it in its entirety (House, No. 4976) [Local Approval Received].

Ashland,—
charter.

By the same member, for the same committee, on a petition, a Bill relative to the sewer construction and water quality maintenance and improvement fund in the town of Mashpee (House, No. 4987) [Local Approval Received].

Mashpee,—
fund.

By the same member, for the same committee, on a joint petition, a Bill relative to the town manager of the town of Upton (House, No. 4989) [Local Approval Received].

Upton,—
town manager.

By the same member, for the same committee, on a petition, a Bill relative to the Bourne Recreation Authority (House, No. 4990) [Local Approval Received].

Bourne Recreation
Authority.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Changing the composition of the Boston Art Commission (see House, No. 3460);

Bills
enacted.

Authorizing the town of Hatfield to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4878); and

Authorizing the town of Ayer to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4907);

(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 amendment of the House Bill authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (House, No. 4551, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Auburn,—
land.

Pending the question on adoption of the amendment, in concurrence, Mr. Speliotis of Danvers moved that the House concur with the Senate in its amendment with further amendments striking out the figure: “2” and inserting in place thereof the figures: “12”; and striking out the following: “chapter 30B of the General Laws” and inserting in place thereof the following: “said chapter 30B”. The further amendments were adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendments.

House bills

Relative to the retirement benefits of certain employees of the city of Chicopee (House, No. 4933); and

Establishing a sick leave bank for John S. Gay, an employee of the Trial Court of the Commonwealth (House, No. 4992);

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.

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Ultrino of Malden being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 17, 2018.

[126]

JOURNAL OF THE HOUSE.

Monday, December 17, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Tucker of Salem in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God, whose ways and presence are not always readily apparent even to those who profess faith of some kind, we are thankful for the many ways You do indeed manifest Yourself throughout the history of our Commonwealth.

We are thankful today for the courageous life of Deborah Sampson who was born on this day in Plympton in 1760.

Tall and strong, Sampson disguised herself as a man named Robert Shirliff, in order to fight in the Continental Army.

In a battle near Tarrytown, New York, she was shot twice in the leg. Fearing she would be discovered, she took a pen knife and sewing needle and removed one bullet. The other musket ball remained lodged in her leg the rest of her life.

She went on to serve as an aide to General John Paterson. In a few weeks' time, she took ill and was treated by a doctor. The physician came to discover her gender and reported his findings to General Paterson. The General gave her an honorable discharge and she received a pension for the remainder of her life. She later married, had three children and moved to the town of Sharon where she died at age 66.

We pray for our legislators especially 8th Norfolk Representative Louis L. Kafka of Stoughton.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Tucker), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Appointment to a Special Commission.

The Speaker announced that he had designated Representative Driscoll of Milton to serve as his second appointment to the bail reform special commission established (under Section 220 of the Acts of 2018, pursuant to Section 2A of Chapter 4 of the General Laws) to evaluate policies and procedures related to the current bail system and recommend improvements or changes.

Resolutions.

Resolutions (filed with the Clerk by Mr. Murray of Milford) commending William F. Welch, Clerk of the Massachusetts State Senate, on the occasion of his well-deserved retirement, were referred, under Rule 85, to the committee on Rules.

Prayer.

Pledge of
allegiance.

Bail reform
commission.

William
Welch.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Massachusetts Department of Transportation (see Section 12A of Chapter 6C of the General Laws) on the progress of the Performance and Asset Management Advisory Council, was placed on file.

Mass DOT,—
assets, etc.

Annual Reports.

Annual reports

Of the Greater Attleboro-Taunton Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018; and

Greater
Attleboro-
Taunton
transit.

Of the Capital Debt Affordability Committee of the Executive Office for Administration and Finance (under Section 60B(f) of Chapter 29 of the General Laws) submitting the committee's estimate of the total amount of new Commonwealth debt that may be prudently authorized for the next fiscal year;

Capital
debt.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Murray of Milford, a petition (accompanied by bill, House, No. 4999) of Brian Murray (by vote of the town) that the town of Milford be authorized to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises to Central Gas and Market Inc.; and

Milford,—
liquor
license.

By the same member, a petition (accompanied by bill, House, No. 5000) of Brian Murray (by vote of the town) that the town of Milford be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises to Water Street Meat Market, LLC.;

Id.

Severally to the committee on Consumer Protection and Professional Licensure.

By Mr. Murray of Milford, a petition (accompanied by bill, House, No. 5001) of Brian Murray (by vote of the town) relative to the nomination of candidates for town meeting in the town of Milford. To the committee on Election Laws.

Milford,—
candidates.

By Mr. Lombardo of Billerica, a petition (accompanied by bill, House, No. 5002) of Marc T. Lombardo (by vote of the town) that certain positions in the department of public works in the town of Billerica be exempt from the civil service law. To the committee on Public Service.

Billerica,—
civil
service.

Severally sent to the Senate for concurrence.

Representatives Poirier of North Attleborough and Hawkins of Attleboro presented a petition (subject to Joint Rule 12) of Elizabeth A. Poirier, James K. Hawkins and Paul R. Feeney for legislation to establish a sick leave bank for William Brown, an employee of the Massachusetts Department of Transportation;

William
Brown,—
sick leave.

and the same was referred, under Rule 24, to the committee on Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

The Senate Bill relative to critical incident intervention by emergency service providers (Senate, No. 2633, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4850), with a further amendment striking out the text (inserted by amendment by the House) and inserting in place thereof the text contained in Senate document numbered 2684. The Senate further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Emergency
personnel,—
intervention.

The House Bill establishing a town manager form of government in the town of Pembroke (House, No. 4607, 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 striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2681. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Pembroke,—
town
manager.

A petition of Nick Collins for legislation to establish a sick leave bank for Marc Wedgeworth, an employee of the Massachusetts Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Marc
Wedgeworth,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2688) was referred, in concurrence, to the committee on the Judiciary.

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 petition of Paul J. Donato relative to the retirement benefits of Harold F. MacGilvray, Jr., a former police officer of the Metropolitan District Commission police. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Harold
MacGilvray,—
benefits.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Approving the town of Ashland Home Rule Charter as amended and as voted

Ashland,—

in Article 34 of the annual town meeting of the town of Ashland including parts I through IX by repealing Chapter 405 of the Acts of 2008 and replacing it in its entirety (House, No. 4976) [Local Approval Received];

charter.

Relative to the sewer construction and water quality maintenance and improvement fund in the town of Mashpee (House, No. 4987) [Local Approval Received];

Mashpee,—
fund.

Relative to the town manager of the town of Upton (House, No. 4989) [Local Approval Received]; and

Upton,—
town manager.

Relative to the Bourne Recreation Authority (House, No. 4990) [Local Approval Received];

Bourne
Recreation
Authority.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a message from His Excellency the Governor, a Bill to ensure the safety and soundness of the Commonwealth's natural gas infrastructure (printed in House, No. 4979). Read; and referred, under Rule 33 to the committee on Ways and Means.

Natural
gas.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4978, a Bill authorizing the town of Westford to establish a means tested senior citizen property tax exemption (House, No. 4998) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Westford,—
exemption.

Engrossed Bills.

Engrossed bills

Exempting J. Adam Stagno from the maximum age requirement for police officers in the town of North Andover (see House, No. 3794); and

Bills
enacted.

Allowing the chair of the board of selectmen of the town of Orange to appoint a designee to serve on the town's board of trustees for soldiers' memorials (see House, No. 4145);

(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 authorizing the town of Hardwick to continue the employment of fire chief Raymond Walker (Senate, No. 2586), 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.

The House Bill relative to principle-based reserving for life insurance (House,

Life
insurance.

No. 2969), reported by the committee on Bills in the Third Reading be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 69, by striking out the following: “(5) or (7)” and inserting in place thereof the following: “(4) or (6)”, in lines 166 and 170 by striking out the following: “(6)” and inserting in place thereof, in each instance, the following: “(5)”; and in line 185 by striking out the following: “subsection (i)” and inserting in place thereof the following: “paragraph (3) of subsection (f)”;

In section 3, in lines 327 and 328, by striking out the words “the following or corresponding provisions” and inserting in place thereof the words “provisions corresponding to the provisions contained within this subsection,”; and in line 495 by inserting after the word “manual” the following: “, as defined in section 9½,”;

By adding the following section:

“SECTION 5. This act shall take effect as of January 1, 2018.”; and

By inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to implement forthwith principle-based reserving for life insurance in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 2969, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to a certain residential property tax exemption for seniors in the town of Harwich (House, No. 4437) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee be correctly drawn, was read a third time.

Harwich,—
exemption.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Notwithstanding the maximum tax exemption authorized in clause Forty-first C of section 5 of chapter 59 of the General Laws or any other general or special law to the contrary, the board of assessors in the town of Harwich may grant an exemption pursuant to said clause Forty-first C of said section 5 to the amount of \$1,500 to individuals meeting the qualifications contained in said clause Forty-first C of said section 5.”.

The amendment was adopted; and the bill (House, No. 4437, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to a certain license for the sale of wines and malt beverages in town of Wareham (printed in House, No. 4958) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee be correctly drawn, was read a third time.

Wareham,—
liquor
license.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Section 1 of chapter 236 of the acts of 2018 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Wareham may grant 1 additional license for the sale of

wines and malt beverages to be drunk on the premises to Stone Path Malt LLC located at 11 Kendrick road pursuant to section 12 of said chapter 138. The license shall be subject to all of said chapter 138, except said section 17.”.

The amendment was adopted; and the bill (printed in House, No. 4958, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Tucker of Salem being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 20, 2018.

[127]

JOURNAL OF THE HOUSE.

Thursday, December 20, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Harmony, we give You thanks for the legacy Massachusetts enjoys with many native born daughters and sons who have been gifted in the arts. We honor one such figure whose 1871 birth occurred on this day in Somerville.

Henry Kimball Hadley was a composer of classical music and conducted orchestras in Seattle, San Francisco and lastly the New York Philharmonic.

He conducted this orchestra for the 1926 film Don Juan which was the first movie to be synchronized with music and sound effects.

Hadley brought the New York Philharmonic to the Berkshires where he hoped to create a summer concert series. His dream came true as within three years funding was secured for the Tanglewood Music Festival.

We pray for our legislators who themselves compose sometimes harmonious pieces of legislation to benefit the people of Massachusetts. Today we pray especially for Somerville's three representatives, Mike Connolly, Denise Provost and Christine Barber.

May God continue to bless our Commonwealth.

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.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Cutler of Duxbury) recognizing December 28, 2018 as Pembroke Resolve Day; and

Resolutions (filed by Ms. Tyler of Boston) recognizing June 1, 2019 as Darlene Tiffany Moore and Jermaine Goffigan Day;

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. Walsh of Peabody, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

An Order (filed by Mr. Galvin of Canton) relative to a contract for the

Prayer.

Pledge of
allegiance.

Pembroke
Resolve Day.

Darlene Moore
and Jermaine
Goffigan.

House,—
equal

procurement of the services of an Equal Employment Opportunity Officer (House, No. 5010), having been reported from the committee on Rules, under the provisions of House Rule 7C, was adopted.

employment
opportunity
officer.

Communication.

A communication from the MBTA Fiscal and Management Control Board (see Section 207 of Chapter 46 of the Acts of 2015) on its revenue, operating budget, capital plan and progress toward meeting performance metrics and targets, was placed on file.

MBTA,—
control
board.

Reports.

Reports

Of the Cape Cod Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Cape Cod
Regional
Transit
Authority.

Of the Office of the State Auditor (under Section 17 of Chapter 11 of the General Laws) submitting its first quarter report of the Bureau of Special Investigations from July 1, 2018 to September 30, 2018; and

Bureau of
Special
Investigations.

Of the Worcester Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Worcester
Regional
Transit
Authority.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Barrett of North Adams, a petition (accompanied by bill, House, No. 5003) of John Barrett and Adam G. Hinds (by vote of the town) relative to the board of selectmen of the town of Cheshire; and

Cheshire,—
selectmen.

By Ms. Higgins of Leominster, a petition (accompanied by bill, House, No. 5004) of Natalie Higgins (with the approval of the mayor and city council) that the city of Leominster be authorized to pay a certain unpaid bill;

Leominster,—
unpaid bill.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Ms. DiZoglio of Methuen presented a petition (subject to Joint Rule 12) of Diana DiZoglio for legislation to establish a sick leave bank for Matthew Clark, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Matthew
Clark,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 the Judiciary. Sent to the Senate for concurrence.

Papers from the Senate.

The engrossed Bill extending the authorization for the use of certain discount vouchers for prescription drugs (see House, No. 4825, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment with a further amendment striking out section 1 and inserting in place thereof the following section:

Prescription
drug vouchers.

“SECTION 1. Section 226 of chapter 139 of the acts of 2012 is hereby amended by striking out the words ‘July 1, 2019’, inserted by section 129 of chapter 133 of the acts of 2016, and inserting in place thereof the following words:— January 1, 2020”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The engrossed Bill relative to the prescription monitoring program (see House, No. 4938, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the House) and inserting in place thereof the following:

Prescription
monitoring.

“Subsection (f) of section 24A of chapter 94C of the General Laws, as appearing in section 44 of chapter 208 of the acts of 2018, is hereby amended by striking out clauses (6) and (7) and inserting in place thereof the following 3 clauses:—

(6) personnel of the United States attorney, office of the attorney general or a district attorney; provided, however, that the data request is in connection with a bona fide specific controlled substance or additional drug related investigation and accompanied by a probable cause warrant issued pursuant to chapter 276 or a civil investigative demand;

(7) personnel of the Medicaid fraud control unit within the office of the attorney general or a district attorney; provided, however, that the data request is made in connection with a bona fide specific controlled substance or additional drug related investigation of a practitioner, pharmacist, pharmacy, person required to be a registered participant by this chapter or any other provider subject to the jurisdiction of a Medicaid fraud control unit under federal law, including, but not limited to, 42 USC section 1396b, et. seq.; and provided further, that, notwithstanding clauses (4) and (6), the department shall provide the data requested pursuant to this clause without a probable cause warrant issued pursuant to chapter 276; or

(8) personnel within the office of a district attorney; provided, however, that the data request is made in connection with a bona fide investigation into the cause and manner of death of an individual suspected of a drug overdose; and provided further, that, notwithstanding clauses (4) and (6), the department shall provide the data requested pursuant to this clause without a probable cause warrant issued pursuant to chapter 276.”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill authorizing the town of Provincetown to continue the employment of Michael Trovato (House, No. 3865), came from the Senate passed to be engrossed, in concurrence, with an amendment, in section 1, in line 5, inserting

Provincetown,—
Michael
Trovato.

after the word “office” the following: “; provided further, that no further deductions shall be made from the regular compensation of Michael Trovato pursuant to chapter 32 of the General Laws for service subsequent to the date on which he reaches 65 years of age; and provided further, that, upon retirement, Michael Trovato shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on the date on which he reached 65 years of age”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill amending the membership of the Massachusetts Port Authority community advisory committee (House, No. 4101) (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 all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2693. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Port Authority,—
community advisory committee.

The House Bill providing for recall elections in the town of Erving (House, No. 4144), came from the Senate passed to be engrossed, in concurrence, with an amendment, in section 3 (as printed), in line 25, striking out the figures: “60” (as changed by the House committee on Bills in the Third Reading) and inserting in place thereof the figures: “64”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Erving,—
recall elections.

The House Bill amending the charter of the town of Needham (House, No. 4948), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2682. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Needham,—
charter.

The House Bill protecting locked out employees (House, No. 4988, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2692. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Employees,—
benefits.

Bills

Authorizing the appointment of special police officers in the city of New Bedford (Senate, No. 2671, amended in section 1, in lines 62 to 66, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

New Bedford,—
special police.

“(j) Pursuant to subsection (e), fees associated with the costs of training, medical examinations, equipment, uniforms and any other requirements considered necessary by the chief of police shall be paid by the special police officer. If the special police officer requests that the relevant union provide the required training, medical examinations, equipment, uniforms or any other requirements on the special police officer’s behalf, the union may charge the special police officer for the reasonable cost of providing them.”) (on a petition); and

Establishing a sick leave bank for Tyra Jackson, an employee of the Department of Mental Health (Senate, No. 2677, amended by inserting before the enacting clause the following emergency preamble:

Tyra Jackson,—
sick leave.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of mental health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition);

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 petition (accompanied by bill, Senate, No. 2687) of Ryan C. Fattman and Joseph D. McKenna (by vote of the town) for legislation to authorize the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Webster,—
liquor
license.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2694) of Nick Collins for legislation to establish a sick leave bank for Joy Cochran, an employee of the Department of Children and Families; and

Joy
Cochran,—
sick leave.

Petition (accompanied by bill, Senate, No. 2695) of Bruce E. Tarr and Barbara A. L’Italien for legislation to establish a sick leave bank for Tiffany Gibb, an employee at Tewksbury State Hospital;

Tiffany
Gibb,—
sick leave.

Severally to the committee on Public Service.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Michael Hooton, an employee of the Massachusetts Department of Transportation (House, No. 4997). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Michael
Hooton,—
sick leave.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Bill relative to health insurance benefits for certain retirees in the town of Pembroke (House, No. 4977) [Local Approval Received], ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Pembroke,—
insurance
benefits.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 4231, reported, in part, a Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5009) [Total appropriation: \$7,850,000.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
budget.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill establishing the Massachusetts Code of Military Justice (Senate, No. 2611), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5006. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Military,—
justice code.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2611, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence in the amendment.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the provision of health insurance and other benefits in the town of Huntington (House, No. 4308) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Health Care Financing,— to amend the bill by substitution of a Bill relative to health insurance in the town of Huntington (House, No. 4570),— pending.

Huntington,—
benefits.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Health Care Financing then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Garballey of Arlington, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to background checks by the Department of Youth Services (House, No. 4104), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5008). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Youth
services,—
background
checks.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to ensure the safety and soundness of the Commonwealth's natural gas infrastructure (printed in House, No. 4979), ought to pass with an amendment substituting therefor a Bill ensuring the safety and soundness of the Commonwealth's natural gas infrastructure (House, No. 5005). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Natural gas infrastructure.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to the Springfield Technology Park (Senate, No. 2674), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Springfield Technology Park.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Garballey of Arlington, the bill (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill providing for the licensing of certain motor vehicle inspection stations (Senate, No. 2261), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5007. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Inspection stations.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2261, amended) was ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Westford to establish a means tested senior citizen property tax exemption (House, No. 4998) [Local Approval Received], be scheduled for consideration by the House.

Westford,—
tax exemption.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (see House, No. 4957, 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.

John Taylor
Woodward,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for William P. Kearney, Jr., an employee of Massachusetts Department of Transportation (see House, No. 4974), 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.

William
Kearney,—
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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Hardwick to continue the employment of fire chief Raymond Walker (see Senate, No. 2586) (which originated in the Senate); and

Bills
enacted.

Establishing an early retirement incentive program for Barnstable County (see House, No. 4107, amended) (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 engrossed Bill regulating and insuring short-term rentals (see House, No. 4841), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4869), was considered.

Short-term
rentals.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

The amendment recommended by the Governor then was rejected.

Mr. Michlewitz of Boston then moved to amend the bill in section 1 by striking out the following: "(iv) information required to be collected and maintained for operators in the registry, which shall, at a minimum, include a list of legal addresses for accommodations offered for rent by operators who are registered in accordance with section 67 of chapter 62C" and inserting in place thereof the following:— "(iv) information required to be collected and maintained for operators in the registry, which shall, at a minimum, include a list of accommodations offered for rent by operators who are registered in accordance with section 67 of chapter 62C, provided, however, that the location information for any accommodation offered for rent shall be limited to the name of the street and the city or town where the accommodation is located";

In section 6 by striking out the definition of "Occupancy," and inserting in place thereof the following definition:—

"Occupancy", the use or possession or the right to the use or possession of a room in a bed and breakfast establishment, hotel, lodging house or motel designed and normally used for sleeping and living purposes for a period of not more than 90 consecutive calendar days, regardless of whether such use and possession is as a lessee, tenant, guest or licensee, or the use or possession or the right to the use or possession of a room in a short term rental normally used for sleeping and living purposes for a period of not more than 31 consecutive calendar days, regardless of whether such use and possession is as a lessee, tenant, guest or licensee; provided, however, that 'occupancy' shall include the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment, accompanying the use and possession of such a room.;

In said section 6, in proposed section 3 of chapter 64G, by adding the following paragraph:

"No excises or fees established under this chapter shall be imposed upon the transfer of occupancy of a short-term rental if the operator transfers such short-term rental for not more than 14 days in a calendar year, provided, that the operator has first: (i) registered with the commissioner in accordance with section 67 of chapter 62C; and (ii) filed a declaration with the commissioner, signed by the operator and subject to section 5 of chapter 62C, setting forth the intention to transfer the short-term rental for not more than 14 days in a calendar year. Such a declaration, if applicable, shall be required annually in a manner determined by the commissioner. If the operator transfers the short-term rental for 15 days or more in the same calendar year, or fails to register and file a declaration as required by this section, then the operator shall be liable for the payment of required excises and fees under this chapter, including payment of required taxes and fees on the first 14 days the short-term rental was transferred in the calendar year.";

In section 8 by striking out the following: "(ii) assess, collect, report and remit the excise to the commissioner as described for operators in sections 3, 3A, 3B, 5, 7A, 7B and 12" and inserting in place thereof the following:— "(ii) assess, collect, report and remit the excise to the commissioner as described for operators in sections 3, 3A, 3B, 3C, 5, 7A, 7B and 12"; in proposed section 14 of chapter 64G, by adding the following paragraph:

"Nothing in this section shall preclude a city or town from publishing a public registry of all short-term rental accommodations located within that city or town

offered for rent by operators who are registered in accordance with section 67 of chapter 62C. A city or town may determine what relevant information shall be listed, including where the accommodation is located.”;

In section 10 by striking out the date: “July 31, 2019” and inserting in place thereof the following date: “January 1, 2020”;

In section 11 by striking out the date: “December 1, 2018” and inserting in place thereof the following date: “June 1, 2019”;

In section 13 by striking out the date: “June 30, 2019” and inserting in place thereof the following date: “September 30, 2019”;

By striking out section 14 and inserting in place thereof the following two sections:

“SECTION 14. Sections 3, 3A, 3C and 3D of chapter 64G of the General Laws shall take effect for transfers of occupancies of short-term rentals that commence on or after July 1, 2019 and for which contracts with occupants were entered into on or after January 1, 2019.

SECTION 14A. Section 3B of chapter 64G of the General Laws shall take effect for transfers of occupancies on short-term rentals that commence 90 days after the commonwealth has discharged its obligations on the payment of special obligation bonds of the commonwealth issued pursuant to sections 11 and 12 of chapter 152 of the acts of 1997, as amended, as certified by the secretary of administration and finance.”;

In section 15 by striking out the date: “January 1, 2019” and inserting in place thereof the following date: “July 1, 2019”; and

In section 16 by striking out the date: “January 1, 2019” and inserting in place thereof the following date: “July 1, 2019”.

The amendments were adopted; and the bill (see House, No. 4841, amended) then was sent to the Senate for its action.

The Senate further amendment to the House amendment of the Senate Bill relative to critical incident intervention by emergency service providers (Senate, No. 2633), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Critical incident intervention.

Mr. Speliotis of Danvers then moved that the House concur with the Senate in its further amendment with a still further amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith critical incident intervention services for emergency service providers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The still further amendment was adopted. The House then concurred with the Senate in its further amendment, as amended. Sent to the Senate for concurrence in the still further amendment.

Ms. Peake of Provincetown being in the Chair,—

The Senate amendment of the House Bill establishing a town manager form of government in the town of Pembroke (House, No. 4607, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Pembroke,—
town
manager.

The Senate Bill regarding the authorization of the town of Sturbridge to grant an additional license for sale of all alcoholic beverages (printed in Senate, No.

Third
reading

2673), 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.

bill.

House bills

Providing for continuing education credits flexibility (House, No. 19);
Relative to the town manager of the town of Upton (House, No. 4989); and

Third
reading
bills.

Establishing a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health (House, No. 4991);

Severally reported by said committee 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 honoring Rosa Parks on all Massachusetts Bay Transportation Authority buses (Senate, No. 2410) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

MBTA,—
Rosa Parks.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“Chapter 161A of the General Laws is hereby amended by adding the following section:—

Section 51. Whenever the Massachusetts Bay Transportation Authority operates bus transportation, the authority shall acknowledge the contributions of Rosa Parks to the civil rights movement using a light-emitting diode display or decal in the front left window of the bus, or in a similar manner approved by the authority.”

The amendment was adopted; and the bill (Senate, No. 2410, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill relative to placing a plaque at the McCarthy Pavilion in the city of Revere in memory of Grace Hill Sannella (House, No. 4993), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Revere,—
Grace Hill
Sannella.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to place forthwith a plaque in memory of Grace Hill Sannella, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4993, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Engrossed Bill.

Mr. Donato of Medford being in the Chair,—

The engrossed Bill regulating and insuring short-term rentals (see House, No.

Short term

4841, amended) (which originated in the House), which had been returned by His Excellency the Governor with recommendation of amendment, having been certified by the Clerk to be rightly and truly prepared 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.

rentals.

Recess.

At twenty-nine minutes after two o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at a quarter after three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill relative to critical incident intervention by emergency service providers (see Senate, No. 2633, 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.

Emergency responders,—critical incidents.

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 sent to the Senate.

Bill enacted.

Recess.

At twenty-four minutes after three o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at eight minutes before five o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill establishing a town manager form of government for the town of Pembroke (see House, No. 4607, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next sitting.

At six minutes before five o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



FRIDAY, DECEMBER 21, 2018.

[128]

JOURNAL OF THE HOUSE.

Friday, December 21, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. McMurtry of Dedham 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. McMurtry), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing a sick leave bank for Rachael Purnell, an employee of the Trial Court [see House, No. 4980] (for message, see House, No. 5015), was filed in the office of the Clerk on Thursday, December 20.

Rachael Purnell,—
sick leave.

The message was read; and, House Rule 12, the bill was placed in the Orders of the Day for the next sitting.

Communication.

A communication from the Massachusetts Clean Energy Center (see Section 5 of Chapter 23J of the General Laws) submitting the 2018 annual report (accompanied by financial statements for fiscal year ended June 30, 2018), was placed on file.

Clean Energy Center.

Annual Report.

The annual report of the Office of Performance Management and Innovation of the Massachusetts Department of Transportation (under Section 6(b) of Chapter 6C of the General Laws) submitting the agency's performance report for fiscal year 2018, was placed on file.

Mass DOT,—
performance report.

Petition.

Representative Haddad of Somerset and Senator Jehlen presented a joint petition (subject to Joint Rule 12) of Patricia A. Haddad and Patricia D. Jehlen relative to pay equity; and the same was referred, under Rule 24, to the committee on Rules.

Pay equity commission,—
extension.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2689) of Bruce E. Tarr and Leonard Mirra (by vote of the town) for legislation to authorize the town of

Groveland,—
Joseph Santapaola.

Groveland to continue the employment of Joseph Santapaola as Fire Lieutenant/EMT, was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4995, a Bill authorizing the town of Montague to grant an additional liquor license for the sale of wines and malt beverages to be drunk on the premises (House, No. 5017) [Local Approval Received].

Montague,—
liquor
license.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 4975, a Bill authorizing the town of Ashland to establish a grant and loan fund for the purpose of creating economic development tools and activities (House, No. 5014) [Local Approval Received].

Ashland,—
economic
development.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

The engrossed Bill regarding the authorization of the town of Sturbridge to grant an additional license for sale of all alcoholic beverages (see Senate bill printed in Senate, No. 2673) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill relative to the Springfield Technology Park (see Senate, No. 2674) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The Senate Bill amending the charter of the city of Somerville (Senate, No. 2676), 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 tax titles in the town of East Bridgewater (House, No. 4064);

Designating a bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge (House, No. 4917);

Amending the town manager act of the town of Arlington (House, No. 4931);

Relative to the board of assessors in the town of Harvard (House, No. 4947) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a board of selectmen-town administrator form of government for the town of Berlin (House, No. 4952);

Relative to elections for fire district number 1 in the town of South Hadley (House, No. 4964); and

Establishing a sick leave bank for Michael Hooton, an employee of the Massachusetts Department of Transportation (House, No. 4997);

Third
reading
bills.

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 House Bill increasing certain retirement benefits for firefighter Scott Holt of the town of Littleton (House, No. 4676) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Littleton,—
Scott Holt.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5016), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

At twenty-nine minutes after eleven o'clock A.M., the Chair (Mr. McMurry of Dedham) declared a recess subject to the call of the Chair; and at seventeen minutes after four o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Ms. Garlick of Needham being in the Chair,—

The Senate amendment of the House Bill amending the charter of the town of Needham (House, No. 4948), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Needham,—
charter.

Mr. Donato of Medford being in the Chair,—

The Senate amendment of the House Bill protecting locked out employees (House, No. 4988, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Locked out
employees,—
benefits.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-one minutes after four o'clock P.M., on motion of Mr. Wong of Saugus (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 24, 2018.

[129]

JOURNAL OF THE HOUSE.

Monday, December 24, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God of Light and Joy, we give thanks today on this eve of the Christian holyday of Christmas for the gift of sunlight during these winter days of darkness.

We celebrate that it was on this day 70 years ago that the first solar-powered house was built in the town of Dover. This advance in technology grew out of the Depression when many people could not afford to pay for fossil fuel for heating their homes in the winter.

The house was a collaborative effort by three women of Massachusetts. MIT researcher Mária Telkes created the solar paneling and the heat-storing chemical mechanism, architect Eleanor Raymond designed the special house and the Boston sculptor Amelia Peabody provided the funding.

We pray for our legislators as they expend their energy on finishing this legislative session. We pray especially for 13th Norfolk district Representative Denise Garlick and her staff.

May God continue to bless our Commonwealth.

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.

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 establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (House, No. 4957) [for message, see House, No. 5018], was filed in the office of the Clerk on Friday, December 21.

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 Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on

Prayer.

Pledge of
allegiance.

John
Woodward,—
sick leave.

Pay equity
commission,—

Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of Patricia A. Haddad and Patricia D. Jehlen relative to pay equity. Under suspension of the rules, on motion of Mr. Honan of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

extension.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for William Brown, an employee of the Massachusetts of Department of Transportation (House, No. 5013). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

William Brown,—
sick leave.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Authorizing the appointment of special police officers in the city of New Bedford (Senate, No. 2671, amended) [Local Approval Received]; and

New Bedford,—
special police.

Establishing a sick leave bank for Tyra Jackson, an employee of the Department of Mental Health (Senate, No. 2677, amended);

Tyra Jackson,—
sick leave.

House bills

Authorizing the town of Ashland to establish a special revenue fund for an economic development funding program (House, No. 5014) [Local Approval Received]; and

Ashland,—
fund.

Authorizing the town of Montague to grant an additional liquor license for the sale of wines and malt beverages to be drunk on the premises (House, No. 5017) [Local Approval Received];

Montague,—
liquor
license.

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.

Emergency Measure.

The engrossed Bill protecting locked out employees (see House, No. 4988, 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.

Locked out
employees,—
benefits.

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 5 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 sent to the Senate.

Bill
enacted.

Engrossed Bill.

Engrossed bills

Amending the charter of the city of Somerville (see Senate, No. 2676) (which originated in the Senate); and

Bills enacted.

Amending the charter of the town of Needham (see House, No. 4948, amended) (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 further amendment to the House amendment of the engrossed Bill extending the authorization for the use of certain discount vouchers for prescription drugs (see House, No. 4825), reported by the committee on Bills in the Third Reading to be correctly drawn, as changed, was adopted, in concurrence.

Prescription drug vouchers.

The Senate Bill exempting all positions in the police department of the city of North Adams from the civil service law (Senate, No. 2666), 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

Authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4417);

Third reading bills.

Authorizing the town of Harvard to establish a cap on property taxes for means tested seniors (House, No. 4984); and

Relative to the Bourne Recreation Authority (House, No. 4990);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to elections for fire district number 2 in the town of South Hadley (House, No. 4963), was read a third time.

South Hadley,— fire districts.

The committee on Bills in the Third Reading reported recommending that the bill be consolidated with the House Bill relative to election locations for fire district number 2 in the town of South Hadley (House, No. 4965), likewise referred to said committee, and substituting therefor a bill with the same title (House, No. 5019); and the report was accepted.

The amendment then was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next sitting.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, DECEMBER 26, 2018.

[130]

JOURNAL OF THE HOUSE.

Wednesday, December 26, 2018.

Met at six minutes after 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 House Bill relative to the affordable housing trust fund of the town of Brewster (House, No. 4619), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 3 and inserting in place thereof the following section:

Brewster,—
trust fund.

“SECTION 3. Section 1 shall take effect upon the completion of the transfer described in section 2. Not later than 30 days after the completion of the transfer described in section 2, the board of selectmen of the town of Brewster shall file a letter with the clerks of the senate and the house of representatives reporting the date of completion of that transfer.”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill establishing a sick leave bank for Gina Parolisi, an employee of the Trial Court (House, No. 4986), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 5 by inserting after the name: “Parolisi” the words “to care for her parent”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Gina
Parolisi,—
sick leave.

A Bill establishing a sick leave bank for Maria Krull, an employee of the Department of Unemployment Assistance (Senate, No. 2680, amended in line 2 by striking out the word “Transitional” and inserting in place thereof the word “unemployment”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Maria
Krull,—
sick leave.

Reports of Committees.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Matthew Clark, an employee of the Trial Court (House, No. 5020).

Matthew
Clark,—
sick leave.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the board of selectmen of the town of Cheshire (House, No. 5003) [Local Approval Received].

Cheshire,—
selectmen.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measures.

The engrossed Bill relative to the lease of certain yacht clubs on land owned by the Commonwealth (see House, No. 4824, 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.

Yacht clubs.

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 5 to 0. Sent to the Senate for concurrence.

The engrossed Bill extending the authorization for the use of certain discount vouchers for prescription drugs (see House, No. 4825, 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.

Prescription drugs,— vouchers.

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.

Engrossed Bill.

The engrossed Bill exempting all positions in the police department of the city of North Adams from the civil service law (see Senate, No. 2666) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Orders of the Day.

The engrossed Bill establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (see House, No. 4957), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 5018), was considered.

John Taylor Woodward,— sick leave.

The committee on Bills in the Third Reading then reported that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding any general or special law to the contrary, the trial court shall establish a sick leave bank for John Taylor Woodward, an employee of the office of community corrections in the department of the trial court. Any employee of the trial court may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by John Taylor Woodward. If John Taylor Woodward terminates employment with the trial court or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the trial court paid leave bank. Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the trial court.”;

By striking out, in the emergency preamble, the words “Hampshire county sheriff’s department” and inserting in place thereof the words “office of community corrections in the department of the trial court”; and

By striking out the title and inserting in place thereof the following title:

“An Act establishing a sick leave bank for John Taylor Woodward, an employee of the office of community corrections in the department of the trial court.”.

The report was accepted; and the amendments then were adopted. Sent to the Senate for its action.

House bills

Designating a certain state pool in the town of Clinton as the Liberty M. Arnold-Simon memorial children’s pool (House, No. 4994) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

Establishing a sick leave bank for William Brown, an employee of the Massachusetts Department of Transportation (House, No. 5013) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the town of Montague to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 5017) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee 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. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next sitting.

At fourteen minutes after eleven o’clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, DECEMBER 27, 2018.

[131]

JOURNAL OF THE HOUSE.

Thursday, December 27, 2018.

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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Steadfast Presence and Loving Hospitality, we give You thanks for the generous spirit of welcome that is a hallmark of many a small town in our Commonwealth.

Prayer.

We recall that it was on this day in 1934 that the first youth hostel in America opened in the town of Northfield. Creating low cost accommodations for young people in search of employment was the work of Isabel and Monroe Smith. Within a year there were dozens of youth hostels throughout New England.

As this legislative year winds to a close, we ask Your blessing upon the outgoing members of this body and upon those preparing to join others in this historic chamber.

We pray for 2nd Berkshire Representative Paul Mark and his staff.

May God continue to bless our Commonwealth.

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.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Cronin of Easton) congratulating Luke G. Wilson on his elevation to the rank of Eagle Scout;

Luke Wilson.

Resolutions (filed by Ms. Garlick of Needham) congratulating Evan Anderson on receiving the Eagle Award of the Boy Scouts of America;

Evan Anderson.

Resolutions (filed by Ms. Hogan of Stow) congratulating Jake R. Hills on achieving the rank of Eagle Scout with the Boy Scouts of America;

Jake Hills.

Resolutions (filed by Ms. Hogan of Stow) congratulating Justin G. Hines on achieving the rank of Eagle Scout with the Boy Scouts of America; and

Justin Hines.

Resolutions (filed by Ms. Hogan of Stow) congratulating Evan J.L. Jacobson on achieving the rank of Eagle Scout with the Boy Scouts of America;

Evan Jacobson.

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 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.

Communications.

Communications

From the Department of Public Utilities (see Section 12Q of Chapter 25 of the General Laws) submitting the Energy Facilities Siting Board Trust Fund report of the department's financial activities from July 1, 2018 to November 30, 2018; and

From the Department of Public Utilities (see Section 12R of Chapter 25 of the General Laws) submitting the Unified Carrier Registration Trust Fund report of the department's financial activities from July 1, 2018 to November 30, 2018;

Severally were placed on file.

Energy
Facilities
Siting Board.

Unified carrier
registration.

Annual Report.

The annual report of the Economic Empowerment Trust Fund (under Section 35QQ of Chapter 10 of the General Laws) for fiscal year 2018, was placed on file.

Economic
empowerment.

Papers from the Senate.

The engrossed Bill relative to consumer protection from security breaches (see House, No. 4806, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendments with a further amendment, striking out section 3 (as amended by the House) and inserting in place thereof the following section:

Security
breaches.

“SECTION 3. Said chapter 93 is hereby further amended by inserting after section 51A the following section:—

Section 51B. Except for the purposes described in section 51 or in 15 U.S.C. section 1681b, a user shall not obtain, use or seek the consumer report of a consumer unless the user: (i) obtains the prior written, verbal or electronic consent of the consumer, as is appropriate for the manner in which the transaction or extension of credit or other relationship was negotiated or entered into; and (ii) discloses, prior to obtaining the consumer's consent, the user's reason for accessing the consumer report to the consumer.

Nothing shall prohibit a user who has already secured the consent of the consumer, or an investor or potential investor of an existing credit obligation, from obtaining a consumer report in connection with: (i) the same transaction; (ii) reviewing an existing account; (iii) increasing the credit line on an existing account; (iv) taking collection action on an existing account; (v) providing products and services or offering of products and services to an existing consumer's account: or (vi) any other permissible purpose pursuant to section 51 or 15 U.S.C. section 1681b.

A user shall not require or request that a consumer waive this section and any such waiver shall be void. Failure to comply with this section shall be an unfair practice under clause (a) of section 2 of chapter 93A.

Notwithstanding this section, the department of children and families may obtain a consumer report for any child in the department's custody who is 14 years of age or older without obtaining the consent of the child or disclosing to the child the department's reason for accessing the consumer report in order to fulfill the department's obligations pursuant to 42 U.S.C. section 675(5)(I), Public Law 113-183 and section 52A, or any other similar requirement of federal or state law.

The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”.

The further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill authorizing the city of Worcester to lease a certain building known as the nurses’ building (House, No. 4534, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 2, inserting after the word “contrary” the following: “but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Worcester,—
lease.

The House Bill regulating appraisal management companies (House, No. 4566, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2696. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Appraisal
management
companies.

The House Bill relative to mandated reporters (House, No. 4852), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2698. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Mandated
reporters.

A Bill to prevent death and disability from stroke (Senate, No. 2690) (on Senate bill No. 1237), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 1E, to the committee on Health Care Financing.

Strokes.

Bills

Establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (Senate, No. 2672) (on a petition);

James Condon,—
sick leave.

Establishing a sick leave bank for Robert Socha, an employee of the Department of Correction (Senate, No. 2679) (on a petition);

Robert Socha,—
sick leave.

Relative to PEG access and cable related funds (Senate, No. 2686) (on Senate bill No. 2341); and

PEG
funds.

Establishing a sick leave bank for Marc Wedgeworth, an employee of the Trial Court (Senate, No. 2688) (on a petition);

Marc
Wedgeworth,—
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.

Reports of Committees.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill exempting positions in the department of public works in the town of Billerica from the civil service law (House, No. 5002) [Local Approval Received].

Billerica,—
civil service.

By the same member, for the same committee, on a petition, a Bill authorizing the Norfolk County Retirement System to grant creditable service to Gary M. Premo (House, No. 5012).

Gary
Premo,—
retirement.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Murphy of Weymouth, for said committee, then reported that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Kafka of Stoughton, the bills were read a second time forthwith; and they were ordered to a third reading.

By Mr. Murphy of Weymouth, 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 Maria Krull, an employee of the Department of Unemployment Assistance (Senate, No. 2680, amended); and House bills

Maria Krull,—
sick leave.

Relative to the board of selectmen of the town of Cheshire (House, No. 5003) [Local Approval Received]; and

Cheshire,—
selectmen.

Establishing a sick leave bank for Matthew Clark, an employee of the Trial Court (House, No. 5020);

Matthew Clark,—
sick leave.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing a corrective change to Chapter 154 of the Acts of 1983 (House, No. 5011). Read; and referred, under Rule 33, to the committee on Ways and Means.

Harold
MacGilvray,—
retirement.

Emergency Measure.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to supply water to the town of Burlington (see House, No. 4801, changed), 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.

Burlington,—
water.

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 6 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Providing for recall elections in the town of Uxbridge (see Senate, No. 2589, amended) (which originated in the Senate);

Bills
enacted.

Designating a certain area within Toohig Park in the Dorchester section of the city of Boston in memory of Ambrose Valentino (see House, No. 3686, amended);

Redesignating the Pope John Paul II Park located in the Dorchester section of the city of Boston as the Saint Pope John Paul II Park (see House, No. 3687);

Establishing guidelines for the installation and use of electric vehicle charging stations in the city of Boston (see House, No. 4069);

Authorizing the town of Tyngsborough to grant 4 additional licenses for the sale of alcoholic beverages to be drunk on the premises (see House, No. 4429);

Authorizing the town of Tyngsborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4430);

Authorizing the town of Auburn to relocate Faith Avenue and convey remnant parcels of real property (see House, No. 4551);

Repealing the act establishing the Nantucket Mosquito Control Project (see House, No. 4644);

Relative to the powers and duties of the town manager in the town of Hanover (see House, No. 4658);

Relative to the position of appointed tax collector in the town of Hadley (see House, No. 4750);

Relative to the position of appointed treasurer in the town of Hadley (see House, No. 4751);

Reducing the membership of the Nantucket Planning and Economic Development Commission (see House, No. 4819);

Relative to fees assessed by the Dracut Water Supply District (see House, No. 4898);

Authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 4908); and

Authorizing the appointment of special police officers in the town of Stoughton (see House, No. 4918);

(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 amendment of the House Bill authorizing the town of Provincetown to continue the employment of Michael Trovato (House, No. 3865), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Provincetown,—
Michael
Trovato.

The Senate Bill providing for the licensing of certain motor vehicle inspection stations (Senate, No. 2261, amended), 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. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Third
reading
bill.

The House Bill relative to title insurance closing protection letters (House, No. 567), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Title
insurance.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5021), 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 authorizing the town of Hanover to grant abatement of real estate taxes to a certain surviving spouse (printed in House, No. 4955) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Hanover,—
Cynthia
Chesna.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 2, by striking out the word “shall” and inserting in place thereof the word “may”.

The amendment was adopted; and the bill (printed in House, No. 4955, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the retirement benefits of Sean M. Gannon, a fallen police officer in the town of Yarmouth (printed in House, No. 4982), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Yarmouth,—
Sean Gannon.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Notwithstanding any general or special law to the contrary, and in order to promote the public good, the annual pension amount to be paid by the retirement board of the county of Barnstable pursuant to section 100 of chapter 32 of the General Laws to Dara P. Gannon, the surviving spouse of Sean M. Gannon, shall be calculated based upon Sean M. Gannon holding the rank of sergeant at the time of his death.”

The amendment was adopted; and the bill (printed in House, No. 4982, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (printed in House, No. 4983), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Yarmouth,—
Christopher
Van Ness.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 16, by striking out the figures: “, 91”; and in line 17 by inserting after the word “nontaxable” the words “to the extent allowable under state and federal law”.

The amendments were adopted; and the bill (printed in House, No. 4983, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Brian Kennedy, an employee of the Massachusetts Department of Transportation (House, No. 4985), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Brian
Kennedy,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5022), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-four minutes after eleven o'clock A.M., on motion of Mr. Wong of

Recess.

Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at two minutes after four o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Emergency Measures.

The engrossed Bill further establishing a sick leave bank for Michael Tucker, an employee of the Department of State Police (see House, No. 4911), 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.

Michael Tucker,—
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 5 to 0. Sent to the Senate for concurrence.

The engrossed Bill further providing for the safety of the Commonwealth's natural gas infrastructure (see House, No. 5005), 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.

Natural gas,—
infrastructure.

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 5 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Relative to the lease of certain yacht clubs on land owned by the Commonwealth (see House, No. 4824, amended); and

Bills
re-enacted.

Extending the authorization for the use of certain discount vouchers for prescription drugs (see House, No. 4825, 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 re-enacted, in their amended forms; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Establishing the uniform enforcement of foreign judgements (see House, No. 718);

Bills
enacted.

Authorizing the town of Provincetown to continue the employment of Michael Trovato (see House, No. 3865, amended);

Relative to the membership of the conservation commission of the town of Charlton (see House, No. 4805); and

Requiring the appointment of 2 additional members to the Somerville Redevelopment Authority (see House, No. 4951);

(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 House Bill relative to the charter of the town of Ashland (House, No. 4976) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill.

The engrossed Bill relative to the membership of the Millbury Redevelopment Authority (House, No. 1101), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4712), was considered.

Millbury Redevelopment Authority.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted. The amendment then was adopted. Sent to the Senate for its action.

The engrossed Bill authorizing the town of Dracut to grant 4 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3754, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3954), was considered.

Dracut,— liquor licenses.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

The amendment was rejected.

Mr. Speliotis of Danvers then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Dracut may grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138, to establishments located within the town's B-3 business district, as that district is defined by the town's zoning map, as it existed as of November 3, 2015, upon approval of and under conditions set by the licensing authority of the town. A license granted pursuant to this section shall be clearly marked on its face 'B-3 business district' and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this section to any other location outside of the town's B-3 business district, but it may grant a license to a new applicant within the B-3 business district if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a license granted pursuant to this section is cancelled, revoked or no longer in use, it shall be returned physically, with all legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant in the town's B-3 business district under the same conditions as specified in this section.

SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General

Laws, the licensing authority of the town of Dracut may grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138, to establishments located within the town's B-4 business district, as that district is defined by the town's zoning map, as it existed as of November 3, 2015, upon approval of and under conditions set by the licensing authority of the town. A license granted pursuant to this section shall be clearly marked on its face 'B-4 business district' and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this section to any other location outside of the town's B-4 business district, but it may grant a license to a new applicant within the B-4 business district if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a license granted pursuant to this section is cancelled, revoked or no longer in use, it shall be returned physically, with all legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant in the town's B-4 business district under the same conditions as specified in this section.

SECTION 3. A license granted pursuant to this act shall be issued within 3 years after the effective date of this act; provided, however, that if the license is originally granted within that time period, it may be granted to a new applicant pursuant to subsections (b) or (c) of section 1 or subsections (b) or (c) of section 2 anytime thereafter.

SECTION 4. This act shall take effect upon its passage."

The amendment was adopted.

Sent to the Senate for its action.

The Senate Bill authorizing the appointment of special police officers in the city of New Bedford (Senate, No. 2671, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

New
Bedford,—
special police.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 21, by striking out the following: "chapter 150E, or chapter 151A" and inserting in place thereof the following: "or chapter 150E".

The amendment was adopted; and the bill (Senate, No. 2671, amended) was passed to be engrossed. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At twelve minutes after four o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



FRIDAY, DECEMBER 28, 2018.

[132]

JOURNAL OF THE HOUSE.

Friday, December 28, 2018.

Met at six minutes after 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Gracious God, as we near the ending of this year, we give thanks for the sometimes overlooked events in our life. We are grateful for the opportunity to remember the many blessings we have enjoyed this past year.

Prayer.

One of our smaller towns is also the youngest town in the Commonwealth, incorporated in 1920. Located in Worcester County, East Brookfield is noted as the birthplace of Cornelius McGillicuddy who went on to become the longest serving manager in Major league baseball history, managing the Philadelphia Athletics for 50 years. He was better known as Connie Mack.

East Brookfield once contained a small village where songwriter and vaudevillian George M. Cohan spent his summers as a youth. He affectionately referred to Podunk so often that it became a part of our American lexicon referring to any small backwater town.

We pray for our legislators, especially for 5th Worcester Representative Donald Berthiaume and his staff.

May God continue to bless our Commonwealth.

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.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 4656), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5024). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Flame retardants.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill improving juror service (Senate, No. 771), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Jurors.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill relative to allowing employees of the Western Massachusetts Emergency Communications District to become members of the Hampden County Retirement System (House, No. 4967), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hampden
County,—
communications
district.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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, its title having been changed by said committee to read: "An Act allowing employees of the Western Massachusetts Emergency Communications District to become members of the Hampden County Retirement System". The bill (House, No. 4967) then was sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following Senate bills be scheduled for consideration by the House:

Establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (Senate, No. 2672);

James Condon,—
sick leave.

Establishing a sick leave bank for Robert Socha, an employee of the Department of Correction (Senate, No. 2679); and

Robert Socha,—
sick leave.

Establishing a sick leave bank for Marc Wedgeworth, an employee of the Trial Court (Senate, No. 2688);

Marc
Wedgeworth,—
sick leave.

Under suspension of Rule 7A, in each instance, on motion of Mr. Brodeur of Melrose, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a joint petition, a Bill relative to pay equity (House, No. 5023). Read; and referred, under Rule 33, to the committee on Ways and Means.

Pay
equity.

Engrossed Bills.

Engrossed bills

Establishing a sick leave bank for Michael Tucker, an employee of the Department of State Police (see House, No. 4911); and

Bills
enacted.

Further providing for the safety of the Commonwealth's natural gas infrastructure (see House, No. 5005);

(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.

Orders of the Day.

The Senate amendment of the House Bill providing for recall elections in the town of Erving (House, No. 4144), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Erving,—
elections.

The Senate amendment of the House Bill relative to the affordable housing trust fund of the town of Brewster (House, No. 4619), reported by the committee on Bills in the Third Reading to be correctly drawn, as changed, was adopted, in concurrence.

Brewster,—
fund.

The Senate amendment of the House Bill establishing a sick leave bank for Gina Parolisi, an employee of the Trial Court (House, No. 4986), reported by the committee on Bills in the Third Reading to be correctly drawn, as changed, was adopted, in concurrence.

Gina
Parolisi,—
sick leave.

House bills

Exempting the position of police chief in the town of Lancaster from the civil service law (House, No. 4704) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Authorizing the town of Harwich to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4956) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill authorizing the town of Athol to establish a special fund for the town of Athol (House, No. 3863) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Athol,—
fund.

On the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5025), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

At half past eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-one minutes after two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

The Senate amendment of the House Bill authorizing the city of Worcester to lease a certain building known as the Nurses' Building (House, No. 4534, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Worcester,—
lease.

House bills

Relative to the board of selectmen of the town of Cheshire (House, No. 5003);
Authorizing the Norfolk County Retirement System to grant creditable service to Gary M. Premo (House, No. 5012); and

Third
reading
bills.

Establishing a sick leave bank for Matthew Clark, an employee of the Trial Court (House, No. 5020);

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 House Bill relative to interstate branching of a credit union and the Massachusetts Credit Union Share Insurance Corporation (House, No. 3690), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Credit unions,—
branching.

On the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5026), 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 exempting positions in the Department of Public Works in the town of Billerica from the civil service law (House, No. 5002), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Billerica,—
civil service.

On the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5027), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

At twenty-eight minutes after two o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at two minutes before three o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Monday
next at eleven o'clock A.M.

Next
sitting.

At one minutes after three o'clock P.M., on motion of Mr. Hill of Ipswich (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.

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 31, 2018.

[133]

JOURNAL OF THE HOUSE.

Monday, December 31, 2018.

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.

Change in Address of a Member.

The official home town of record for Representative Smitty Pignatelli formerly of Lenox has been changed (effective for General Court records as of January 2, 2019) to the town of Lee.

Representative
Pignatelli
of Lee.

Communications.

Communications

From the Department of Public Health (see Section 2 of Chapter 111 of the General Laws) submitting the annual report summarizing mortality data and statistics for the calendar year 2016;

Mortality
data
statistics.

From the Essex District Attorney (see item 0340-2100 contained in Section 2 of Chapter 154 of the Acts of 2018) notifying the House and Senate committees on Ways and Means of funds from the AA object class of said district attorney's administrative line item and means of its intention to make that transfer; and

Essex District
Attorney,—
transfer.

From the Pioneer Valley Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for fiscal year 2018;

Pioneer Valley
Transit
Authority.

Severally were placed on file.

Annual and Special Reports.

The Annual report of the Massachusetts Clean Water Trust (under Section 17 of Chapter 29C of the General Laws) submitting their Clean Water and Drinking Water State Revolving Fund Comprehensive Annual Financial Report for fiscal year 2018 [copies of the report forwarded to the Speaker and the House committee on Ways and Means, in accordance with said law], was sent to the Senate for its information;

Clean
Water
Trust.

Annual reports

Of the Office of the Child Advocate (under Section 17 of Chapter 69 of the Acts of 2018) submitting the first annual report of the Childhood Trauma Task Force;

Child
Trauma
Task Force.

Of the Department of Youth Services (under Section 22 of Chapter 120 of the General Laws) submitting its annual report for fiscal year 2017; and

DYS,—
annual report.

Of the Executive Office of Housing and Economic Development (under

Performance

Section 4 of Chapter 240 of the Acts of 2010) submitting its annual reports for the Office of Performance Management and Oversight for fiscal year 2018; and	management and oversight.
Reports	
Of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through November 2018;	Unemployment Trust Fund.
Of the Executive Office of Energy and Environmental Affairs (under the provisions of Section 5 of Chapter 298 of the Acts of 2008) regarding the implementation of regulations relative to climate change in the Commonwealth;	Climate change regulations.
Of the Massachusetts Department of Transportation (under Section 46 of Chapter 154 of the Acts of 2018) submitting the first annual report of its review on the financial performance, ridership, asset management, and customer service of Regional Transit Authorities;	MassDOT,— Regional Transit Authorities.
Of the Special Commission to Examine the Qualifications and Scope of Practice of Qualified Examiners (under Section 226 of Chapter 69 of the Acts of 2018) submitting a report of its review of the educational and experiential requirements for Qualified Examiners and the clinical standards, practices and risk-assessment criteria used by Qualified Examiners in conducting assessments of sexually dangerous persons; and	Qualified examiners.
Of the Special Commission on the Hiring and Promotional Practices of the Massachusetts State Police (under Section 78 of Chapter 154 of the Acts of 2018) submitting a report of its review of the hiring and promotion practices of the Massachusetts State Police;	State Police hiring practices.
Severally were placed on file.	

Petitions.

Petitions severally were presented and referred as follows:	
By Mr. Whelan of Brewster, a petition (subject to Joint Rules 12 and 7A) of Timothy R. Whelan for legislation to authorize James S. Armentrout to purchase creditable service from the Barnstable County Retirement Board.	James S. Armentrout,— retirement.
By Mr. Kocot of Northampton, a petition (subject to Joint Rule 7B) of Peter V. Kocot that the town of Hatfield be authorized to issue certain tax bills for fiscal year 2018 after December 31.	Hatfield,— tax bills.
By Ms. Whipps of Athol, a petition (subject to Joint Rule 7B) of Susannah M. Whipps that the town of Athol be authorized to grant six additional liquor licenses for the sale of alcoholic beverages to be drunk on the premises.	Athol,— liquor licences.
By Mr. Barrett of North Adams, a petition (subject to Joint Rule 12) of John Barrett relative to the election of members to school committee of the Hoosac Valley Regional School District in the towns of Adams and Cheshire.	Adams and Cheshire,— committee.
Severally, under Rule 24, to the committee on Rules.	

Papers from the Senate.

The House Bill relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (printed in House, No. 4983, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 26, inserting after the word "indemnified" the words "by the town of Yarmouth". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment	Yarmouth,— Christopher Van Ness.
---	--

was correctly drawn; and it was adopted, in concurrence.

The House Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5009), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2701. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently, the noon recess having terminated, said committee reported that the amendment was correctly drawn.

Supplemental
budget.

Mr. Speliotis of Danvers then moved that the House concur with the Senate in its amendment with further amendments by striking out section 3 (inserted by amendment by the Senate) and inserting in place thereof the following section:

“SECTION 3. Subsection (b) of section 21 of chapter 62C of the General Laws, as most recently amended by section 5 of chapter 337 of the acts of 2018, is hereby further amended by adding the following clause:—

(31) the disclosure to the department of family and medical leave established in section 8 of chapter 175M of return information and wage reporting information that is: (i) received by the commissioner pursuant to chapter 62E; and (ii) necessary for the administration of the family and medical leave program established pursuant to said chapter 175M.”;

By inserting after section 6 (inserted by amendment by the Senate) the following 2 sections:

“SECTION 6A. Item 8000-0313 of said section 2 of chapter 154 of the acts of 2018 is hereby amended by inserting, in line 1, after the word ‘programs’ the following words:— ; provided further, that not less than \$250,000 shall be expended to the Presentation School Foundation Community Center in the Brighton section of the city of Boston for public safety upgrades;

SECTION 6B. Said Item 8000-0313 of said section 2 of said chapter 154 is hereby further amended by striking out the figures ‘\$3,326,000’ and inserting in place thereof the following figures:— \$3,576,000”; and

By inserting after section 7 (inserted by amendment by the Senate) the following section:

“SECTION 7A. Notwithstanding any general or special law to the contrary, the portion of the greenway, as defined in section 2 of chapter 306 of the acts of 2008, that is shown as parcel 23D on the plan defined in said section 2 of said chapter 306 shall be designated and known as the Auntie Kay and Uncle Frank Chin Park. Subject to approval of an agreement between the Massachusetts Department of Transportation and the Rose Fitzgerald Kennedy Greenway Conservancy, Inc., the department shall: (i) erect and maintain suitable markers on parcel 23D bearing that designation; or (ii) provide the conservancy with such suitable markers for display by the conservancy on parcel 23D.”.

The further amendments were adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendments.

The House Bill relative to the establishment of a means tested senior citizen property tax exemption (House, No. 4001), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 1 and 2, striking out the following: “Chapter 59 of the General Laws, is hereby amended” and inserting in place thereof the following:

Senior
property
taxes.

“SECTION 1. Section 5 of chapter 59 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word ‘household’, in line 1124, the following words:— or \$80,000, whichever is greater.

SECTION 2. Said chapter 59 is hereby further amended”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill to relative to education collaboratives (Senate, No. 2330), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5029. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Education
collaboratives.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2330, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Stanley of Waltham, the bill (having been 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. Sent to the Senate for concurrence in the amendment.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing a corrective change to Chapter 154 of the Acts of 1983 (House, No. 5011), ought to pass with an amendment substituting therefor a Bill relative to certain retirement benefits for Harold F. MacGilvray, Jr. (House, No. 5028). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Harold
MacGilvray,—
benefits.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill (having been 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. Sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Gina Parolisi, an employee of the Trial Court (see House, No. 4986, 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.

Gina
Parolisi,—
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 7 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 sent to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Improving juror service (see Senate, No. 771) (which originated in the Senate);

Bills enacted.

Providing for recall elections in the town of Erving (see House, No. 4144, amended);

Authorizing the city of Worcester to lease a certain building known as the Nurses' Building (see House, No. 4534, amended); and

Relative to the affordable housing trust fund of the town of Brewster (see House, No. 4619, 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 further amendment to the House amendment of the engrossed Bill relative to the prescription monitoring program (see House, No. 4938), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Prescription monitoring program.

The Senate amendment of the House Bill relative to the Massachusetts Port Authority community advisory committee (House, No. 4101), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Massport advisory committee.

Senate bills

Establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (Senate, No. 2672); and

Third reading bills.

Establishing a sick leave bank for Maria Krull, an employee of the Department of Unemployment Assistance (Senate, No. 2680, amended);

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 the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. for a term of up to 99 years (House, No. 4925); and

Id.

Authorizing the town of Ashland to establish a special revenue fund for an economic development funding program (House, No. 5014);

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 House Bill authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (House, No. 4663), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Notwithstanding any general or special law to the contrary, and in order to promote the public good, the retirement board of the city of Worcester shall retire Brian Patrick Carroll, a firefighter of the city of Worcester who as the result of serious injuries sustained in the performance of his duties, while trapped in a fire with his partner who was killed in the line of duty on December 8, 2011 during the incident, is totally and permanently incapacitated from further service as a firefighter. The annual amount of pension payable to Brian Patrick Carroll under this act shall be in an amount equal to 80 percent of the regular rate of compensation which would have been paid had he continued in service as a firefighter in Worcester at the grade held by him at the time of his retirement; provided, that: (1) after he has attained the maximum age for his group, his retirement allowance shall be fixed at the appropriate rate for an accidental disability retirement pursuant to section 7 of chapter 32 of the General Laws, treating his retirement years as creditable service and the regular compensation payable had he continued in service as a firefighter for determining the amount of his benefits; and (2) the retirement allowances payable to him after he has attained the maximum age for his group shall be increased in the manner provided to all retirees of the city pursuant to said chapter 32.

SECTION 2. Before taking action pursuant to sections 1, 3, 4 or 5 of this act, the retirement board of the city of Worcester shall request the state public employee retirement administration commission to appoint a medical panel consisting of 3 separate physicians who shall examine Brian Patrick Carroll individually. The retirement board of the city of Worcester shall approve a pension for Brian Patrick Carroll pursuant to section 1 upon receipt of the medical panel report in which the majority concludes that Brian Patrick Carroll is incapacitated for further duty as a firefighter, that the incapacity is likely to be permanent and that the injuries were sustained in the performance of his duties. The retirement shall become effective as of the last day on which he is entitled to receive regular compensation.

SECTION 3. Upon the death of Brian Patrick Carroll, the city of Worcester shall pay to his wife at the time of the incident an annual pension equal to the sum of two thirds of the benefit paid to him at the time of his death.

SECTION 4. Upon his retirement pursuant to this act, Brian Patrick Carroll shall be eligible for health insurance through the city of Worcester on the same basis as other retirees of the city and shall be responsible for the retirees' share of premiums. Following his retirement, the city of Worcester shall pay for necessary and reasonable medical expenses incurred by Brian Patrick Carroll due to injuries for which he was retired. Medical care shall first be provided through the health insurance provided to retired city of Worcester employees pursuant to chapters 32B and 150E of the General Laws. The city of Worcester shall pay to the health care providers co-payments which are both required by the health insurance policy under

which the firefighter is insured and which are reasonably necessary and related to the injuries he suffered in the December 8, 2011 incident.

SECTION 5. The retirement allowances payable pursuant to this act shall remain subject to all other provisions of chapter 32 of the General Laws as if they had been granted as accidental disability retirement benefits in the normal course of events, pursuant to said chapter 32, except to the extent that said chapter 32 conflicts with this act.”

The amendment was adopted; and the bill (House, No. 4663, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to health insurance benefits for certain retirees in the town of Pembroke (House, No. 4977), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pembroke,—
benefits.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 2, by inserting after the word “contrary” the words “, and in order to promote the public good”.

The amendment was adopted; and the bill (House, No. 4977, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Pursuant to assignment, at three minutes past twelve o’clock noon, the two Houses met in

Joint Session of
the two branches.

JOINT SESSION.

and were called to order by the Honorable Karen E. Spilka, President of the Senate.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Mr. Tarr, at four minutes past twelve o’clock noon, the convention of the two branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

At seven minutes after twelve o’clock noon, the House reconvened with Mr. Donato of Medford in the Chair.

Called
to order.

Recess.

At twenty-one minutes after twelve o’clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nineteen minutes before four o’clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Papers from the Senate.

The Senate amendment of the House Bill providing for equitable coverage in disability policies (House, No. 482, amended), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1 inserting after the word

Disability
policies.

“premium” (as amended by the House) the following: “for a group or individual disability contract issued or delivered in the commonwealth to 1 or more residents of the commonwealth”; and in section 2 striking out the figures: “2019” (as amended by the House) and inserting in place thereof the figures: “2020”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn; and they were adopted, in concurrence.

The House Bill relative to state contracting (House, No. 4851), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2697. 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.

State
contracting.

The House Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 5024), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2702. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Flame
retardants.

Bills

Establishing a sick leave bank for Mary Faulkner, an employee of the Department of Correction (Senate, No. 2212) (on a petition); and

Mary Faulkner,—
sick leave.

Establishing a sick leave bank for Cheryl Ann Gracia, an employee of the Trial Court (Senate, No. 2683) (on a petition);

Cheryl Ann
Gracia.

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.

Mr. Murphy of Weymouth, for said committee, then reported recommending that the matters be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Peake of Provincetown, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Subsequently under further suspension of the rules, on motion of the same member, the bills (having been 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.

Bills

Establishing a sick leave bank for Chung Tam, an employee of the Massachusetts Department of Transportation (Senate, No. 2654) (on a petition);

Chung Tam,—
sick leave.

Establishing a sick leave bank for Roberta Keeping, an employee of the Massachusetts Department of Transportation (Senate, No. 2655) (on a petition);

Roberta
Keeping.

Establishing a sick leave bank for Joy Cochran, an employee of the Department of Children and Families (Senate, No. 2694) (on a petition);

Joy Cochran,—
sick leave.

Establishing a sick leave bank for Tiffany Gibb, an employee at Tewksbury State Hospital (Senate, No. 2695) (on a petition); and

Tiffany Gibb,—
sick leave.

Authorizing certain officials in the town of Hull to issue 1-day licenses for the sale of alcoholic beverages and common victualler and entertainment licenses (Senate, No. 2700) (on Senate bill No. 2566) [Local Approval Received];

Hull,—
licenses.

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.

Mr. Murphy of Weymouth, for said committee, then reported recommending that the matters be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Peake of Provincetown, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Reports of Committees.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill to relative to financial literacy in schools (Senate, No. 2374), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5030. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Financial literacy.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of Ms. Peake of Provincetown, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2374, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Khan of Newton, the bill (having been 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. Sent to the Senate for concurrence in the House amendment.

Emergency Measures.

The engrossed Bill relative to the prescription monitoring program (see House, No. 4938, 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.

Prescription monitoring program.

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 8 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

The engrossed Bill establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (see House, No. 4957, 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.

John Taylor Woodward,—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 8 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

The engrossed Bill establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (see Senate, No. 2672), 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.

James
Condon,—
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 7 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Maria Krull, an employee of the Department of Transitional Assistance (see Senate, No. 2680, 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.

Maria
Krull,—
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 7 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Zelpha Bennett, an employee of the Executive Office for Administration and Finance (see House, No. 4119), 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.

Zelpha
Bennett,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (see House, No. 4424), 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.

George
Hodgdon,—
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 5 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission (see House, No. 4653), 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.

Carol
Poladian,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services (see House, No. 4734), 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.

Elizabeth
Kendall,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Lori Convey, an employee of the Department of Correction (see House, No. 4902), 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.

Lori
Convey,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick bank for Yin Yu-Wong, an employee of the Massachusetts Rehabilitation Commission (see House, No. 4943, 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.

Yin Yu-
Wong,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Lawrence Jordan, an employee of the Department of Transportation (see House, No. 4944), 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.

Lawrence
Jordan,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Charde Christophe (see

Charde

House, No. 4954), 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.

Christophe,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Peter Hayes, an employee of the Department of Children and Families (see House, No. 4968), 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.

Peter
Hayes,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health (see House, No. 4991), 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.

Aaron
Nyahn,—
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 8 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 sent to the Senate.

Bill
enacted.

The engrossed Bill relative to background checks by the Department of Youth Services (see House, No. 5008), 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.

Youth
services,—
background
checks.

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 8 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 sent to the Senate.

Bill
enacted.

Engrossed Bills and Resolve.

Engrossed bills

Relative to the membership of the Millbury Redevelopment Authority (see House, No. 1101, amended); and

Bills
re-enacted.

Authorizing the town of Dracut to grant 4 additional licenses for the sale of alcoholic beverages to be drunk on the premises (see House, No. 3754, 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 re-enacted, in their amended form; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Providing for continuing education credits flexibility (see House, No. 19);

Relative to counterfeit airbag prohibition (see House, No. 4051);

Amending the membership of the Massachusetts Port Authority community advisory committee (see House, No. 4101, amended); and

Providing for equitable relief from liability for joint filers of tax returns (see House, No. 4942);

(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.

Bills
enacted.

The engrossed Resolve reviving and further continuing the special commission established to investigate and report on the preservation of Polish culture and history in the Pioneer Valley (see House, No. 4922) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate

Pioneer
Valley,—
Polish culture.

Orders of the Day.

The Senate further amendment to the House amendment of the engrossed Bill relative to consumer protection from security breaches (see House, No. 4806, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Security
breaches.

Mr. Chan of Quincy moved that the House concur with the Senate in its further amendment with still further amendments striking out section 3 (inserted by further amendment by the Senate) and inserting in place thereof the following section:

“SECTION 3. Said chapter 93 is hereby further amended by inserting after section 51A the following section:—

Section 51B. This section shall not apply to users who acquire from consumer reporting agencies a consumer report pursuant to section 51 and 15 U.S.C. section 1681b.

A user shall not obtain, use or seek the consumer report of a consumer unless the user: (i) obtains the prior written, verbal or electronic consent of the consumer, as is appropriate for the manner in which the transaction or extension of credit was negotiated or entered into; and (ii) discloses, prior to obtaining the consumer’s consent, the user’s reason for accessing the consumer report to the consumer.

Nothing shall prohibit a user who has already secured the consent of the consumer, or an investor or potential investor of an existing credit obligation, from obtaining a consumer report in connection with: (i) the same transaction; (ii) reviewing an existing account; (iii) increasing the credit line on an existing account; (iv) taking collection action on an existing account; (v) providing products and services or offering of products and services to an existing consumer’s account.

A user shall not require or request that a consumer waive this section and any such waiver shall be void. Failure to comply with this section shall constitute an

unfair practice under clause (a) of section 2 of chapter 93A.

Notwithstanding the restrictions of this section, the department of children and families shall be permitted to obtain a consumer report for any child in the department's custody who is 14 years of age or older without obtaining the consent of the child or disclosing to the child the department's reason for accessing the consumer report in order to fulfill the department's obligations pursuant to 42 U.S.C. 675(5)(I), Public Law 113-183 and section 52A, or any other similar requirement of federal or state law.

The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”;

In section 10 (inserted by further amendment by the Senate) by adding the following:

“(f) The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”; and

In section 11 (inserted by further amendment by the Senate) by adding the following:

“(c) The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”.

The still further amendments were adopted.

The House then concurred with the Senate in its further amendment, as amended. Sent to the Senate for concurrence in the still further amendments.

The Senate Bill relative to the provision of group health insurance benefits in the town of Athol (Senate, No. 1418), 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.

Athol,—
benefits.

Recess.

At thirteen minutes after five o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at a quarter after six o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bills.

Engrossed bills

Relative to the retirement benefits of Sean M. Gannon, a fallen police officer in the town of Yarmouth (see House bill printed in House, No. 4982, amended); and

Relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (see House bill printed in House, No. 4983, 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 (more than two-thirds of the members having agreed to pass the same); and they were signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Recess.

At sixteen minutes after six o'clock P.M., on motion of Mr. Hill of Ipswich

Recess.

(Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at one minute after eight o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Suspension of Rule 1A.

The Chair (Mr. Donato of Medford) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.; and, there being no objection, Rule 1A was suspended.

Suspension of Rule 1A.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Cheryl Ann Gracia, an employee of the Trial Court (see Senate, No. 2683), 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.

Cheryl Ann Gracia,— 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

The engrossed Bill relative to principle-based reserving for life insurance (see House, No. 2969, 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.

Life insurance,— reserving.

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 sent to the Senate.

Bill enacted.

The engrossed Bill designating the state pool for children in the town of Clinton as the Liberty M. Arnold-Simon memorial children's pool (see House, No. 4994), 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.

Clinton,— pool.

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 sent to the Senate.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Matthew Clark, an employee of the Trial Court (see House, No. 5020), 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.

Matthew Clark,— 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 sent to the Senate.

Bill enacted.

The engrossed Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5009, 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.

Supplemental budget.

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.

Engrossed Bills and Resolves.

The engrossed Bill relative to consumer protection from security breaches (see House, No. 4806, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared 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 town of Hanover to grant abatement of real estate taxes to a certain surviving spouse (see House bill printed in House, No. 4955, amended); and

Bills enacted.

Relative to a certain license for the sale of wines and malt beverages in town of Wareham (see House bill printed in House, No. 4958, 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 (more than two-thirds of the members having agreed to pass the same); and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Relative to the provision of group health insurance benefits in the town of Athol (see Senate, No. 1418);

Id.

Providing for the licensing of certain motor vehicle inspection stations (see Senate, No. 2261, amended);

Further regulating the membership of the licensing commission and board of election commissioners of the city of Somerville (see Senate, No. 2294, amended);

Relative to educational collaboratives (see Senate, No. 2330, amended);

Honoring Rosa Parks on all Massachusetts Bay Transportation Authority buses (see Senate, No. 2410, amended);

Authorizing the appointment of special police officers in the city of New Bedford (see Senate, No. 2671, amended);

(Which severally originated in the Senate);

Relative to regional schools (see House, No. 271);

Providing for equitable coverage in disability policies (see House, No. 482,

amended);

Dissolving the Redevelopment Authority in the town of Ashland (see House, No. 3875);

Relative to tax titles in the town of East Bridgewater (see House, No. 4064);

Relative to a certain residential property tax exemption for seniors in the town of Harwich (see House, No. 4437, amended);

Relative to health insurance in the town of Huntington (see House, No. 4570);

Relative to the appointment of retired police officers in the town of Stoneham (see House, No. 4581, amended);

Providing for the renaming of the board of selectmen to select board in the town of Stoneham (see House, No. 4629);

Authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (see House, No. 4663, amended);

Relative to excise tax revenue for Chatham's other post-employment benefits liability trust fund (see House, No. 4781);

Authorizing the town of Stoneham to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4804, amended);

Relative to state contracting (see House, No. 4851, amended);

Authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. for a term of up to 99 years (see House, No. 4925);

Relative to the board of assessors in the town of Harvard (see House, No. 4947);

Establishing a board of selectmen-town administrator form of government for the town of Berlin (see House, No. 4952);

Authorizing the town of Harwich to issue 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4956);

Relative to elections for fire district number 1 in the town of South Hadley (see House, No. 4964);

Allowing employees of the Western Massachusetts Emergency Communications District to become members of the Hampden County Retirement System (see House, No. 4967);

Relative to health insurance benefits for certain retirees in the town of Pembroke (see House, No. 4977, amended);

Authorizing the town of Harvard to establish a cap on property taxes for means tested seniors (see House, No. 4984);

Relative to the town manager of the town of Upton (see House, No. 4989);

Relative to the removal of certain elected financial officials for the town of Sherborn (see House, No. 4996);

Relative to the board of selectmen of the town of Cheshire (see House, No. 5003);

Authorizing the Norfolk County retirement system to grant creditable service to Gary M. Premo (see House, No. 5012);

Authorizing the town of Ashland to establish a special revenue fund for an economic development funding program (see House, No. 5014); and

Providing for increased retirement benefits for firefighter Scott Holt of the town of Littleton (see House, No. 5016);

(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.

The engrossed Resolve establishing an agricultural tourism study commission (see House, No. 4962, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate

Resolve passed.

Recess.

At ten minutes before ten o'clock P.M. (Monday, December 31, 2018), on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Tuesday, January 1, 2019 (at 11:00 o'clock A.M.).

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.

Special Report.

A report of the Special Commission on Operating Under the Influence and Impaired Driving (under Section 50 of Chapter 55 of the Acts of 2017) submitting a report of its comprehensive study relative to the regulation and testing of operating under the influence of marijuana, narcotic drugs and depressant or stimulant substances, was placed on file.

Operating
under the
influence.

Orders of the Day.

The Senate amendment of the House Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 5024), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Flame
retardants.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Mary Faulkner, an employee of the Department of Correction (see Senate, No. 2212), 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.

Mary
Faulkner,—
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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for John S. Gay, an employee of the Trial Court (see House, No. 4992), 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.

John Gay,—
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 5 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 sent to the Senate.

Bill
enacted.

The engrossed Bill relative to placing a plaque at the McCarthy Pavilion in the city of Revere in memory of Grace Hill Sannella (see House, No. 4993, 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.

Revere,—
Grace Hill
Sannella.

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 5 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Michael Hooton, an employee of the Massachusetts Department of Transportation (see House, No. 4997), 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.

Michael
Hooton,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for William Brown, an employee of the Massachusetts of Department of Transportation (see House, No. 5013), 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.

William
Brown,—
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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill to protect children, families, and firefighters from harmful flame retardants (see House, No. 5024, 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.

Flame
retardants.

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 6 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 sent to the Senate.

Bill
enacted.

The engrossed Bill relative to certain retirement benefits for Harold F. MacGilvray, Jr. (see House, No. 5028), 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.

Harold
MacGilvray,—
benefits.

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 6 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 sent to the Senate.

Bill
enacted.

Engrossed Bills.

The engrossed Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5009, amended) (which originated in the House), 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.

Engrossed bills
Relative to financial literacy in schools (see Senate, No. 2374, amended);
Establishing the Massachusetts Code of Military Justice (see Senate, No. 2611, amended);
(Which severally originated in the Senate);
Authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4417);
Amending the charter of the city known as the town of Bridgewater (see House, No. 4752);
Further regulating the filling of vacancies on boards and commissions in the city of Boston (see House, No. 4927);
Amending the town manager act of the town of Arlington (see House, No. 4931);
Relative to the retirement benefits of certain employees of the city of Chicopee (see House, No. 4933);
Relative to the charter of the city of Greenfield (see House, No. 4936);
Relative to the charter of the town of Ashland (see House, No. 4976);
Relative to the Bourne Recreation Authority (see House, No. 4990);
Authorizing the town of Montague to grant an additional liquor license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 5017);
Relative to elections for fire district number 2 in the town of South Hadley (see House, No. 5019); and
Exempting positions in the Department of Public Works in the town of Billerica from the civil service law (see House, No. 5027);
(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.

Bills
enacted.

At six minutes before one o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned.

[Under the provisions of Article X of the Amendments to the Constitution, the 2018 session of the General Court was dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of His Excellency the Governor.]

Attest:

Steven T. James

Clerk.