

### 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:

Prayer. 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.

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.

Pledge of allegiance. 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 of the Minority Leader.

Public health data.—interoperability commission. 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.

#### Resolutions.

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

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

Screen at 23 campaign. 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;

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

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 District,—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 District,—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 District,—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.

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 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);

Convention of the two branches.

Senate committee appointments.

Real estate appraisals.

Higher education.— financial aid.

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

"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);

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.

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.

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.

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.

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

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;

Severally to the committee on Transportation.

Illegal hunting.— enforcement.

Hunting.— crossbows.

Newborns.— health and sleep.

Student debt.— collection.

Minimum wage.

PEG access and cable funds.

Bourne.— Pucino bridges.

Lafayette Trail.

*Reports of Committees.*Housing  
production,—  
procedures.

By 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.

Net  
neutrality.

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.

Quincy,—  
Herbert  
park.

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.

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.

Housing,—  
production.

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].

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 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.

Sheffield,—  
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. 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.

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

Resource officers,—training. 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).

Disabled children. By the same member, for the same committee, on House, No. 230, a Bill improving augmentative and alternative communication opportunities for children with disabilities (House, No. 4129).

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

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

401(k) CORE program. 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).

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

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

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

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

State House,—facility fees. 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).

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

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

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

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

Taunton,—land. 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.

Law enforcement,—payment. 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).  
Vital records.

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.  
Mary Sorensen,—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 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.

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.*

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 the House was called to order with Mr. Donato in the Chair.

*Engrossed Bill.*

Bill  
enacted.

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.

*Order.*

Next  
sitting.

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.

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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.