

## JOURNAL OF THE HOUSE.

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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 U.S. 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.

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 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.

Special Recognitions.

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.

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 Crombie. The Citations were presented by House members representing the communities in which each ranger resides, being Representatives Barber of Somerville, Chan of Quincy, Cusack of Braintree, Cutler of Duxbury, Lyons of Andover and Ryan of Boston.

General Appropriation Bill.

Statement concerning Mr. Dwyer of Woburn.

Statement concerning Mr. Kocot of Northampton.

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

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.

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

Police,— mental wellness training.

Boston Harbor,— Long Island.

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).

Emergency response,— costs.

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).

Elevators,— inspections.

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).

Enhanced 911 service.

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.

Child passengers,— safety.

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).

Law enforcement.

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

Towed vehicles,— storage charges.

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.*

Elizabeth O'Brien,— sick leave.

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.*

Bills enacted.

*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.

*Recesses.*

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.

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.

Housing  
production.

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.

Quorum.

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,—  
yea and nay  
No. 306.

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.

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

Therefore a quorum was present.

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

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.

**[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:

Statement of  
Mr. Linsky  
of Natick.

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.

*Order.*

Next  
sitting.

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.

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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.