

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 15, 2018.

[20]

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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.