

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, FEBRUARY 22, 2018.

[22]

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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.

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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

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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.