

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 5, 2018.

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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.

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 Mattapoisett, 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

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

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

(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,—

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.

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.

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.