

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MARCH 19, 2018.

[31]

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Met at twelve minutes after eleven o'clock A.M., in an Informal Session, with Mrs. Haddad of Somerset 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 Cold and Chill, we ask You to warm our hearts if not our bodies as we begin the spring season tomorrow. Bless our legislators with wisdom and courage as they review and consider all the legislative issues that lie before them.

Prayer.

Today we remember the anniversary of the 1746 birth of Seth Read, a lieutenant for the Continental army. Born in Uxbridge of Worcester County, Read fought in the early battles of Lexington, Concord and Bunker Hill. Later he founded a mint and on the coinage, he promoted the use of the Latin phrase "E Pluribus Unum - out of many, one" which became a national motto.

We pray for 8th Worcester District Representative Kevin Kuros and his staff.
May God bless our Commonwealth.

At the request of the Chair (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Messages from the Governor.

A message from His Excellency the Governor recommending legislation relative to promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4318), was filed in the office of the Clerk on Thursday, March 15.

Climate
change.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

A message from His Excellency the Governor recommending legislation relative to providing affordable health insurance options to municipal retirees (House, No. 4313), was filed in the office of the Clerk on Friday, March 16.

Municipal
retirees,—
healthcare.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Public Service. 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 Representatives Poirier of North Attleborough, Barrows

Nicholas
DeLucia.

of Mansfield and Kafka of Stoughton) congratulating Nicholas Charles DeLucia on receiving the Eagle Scout Award of the Boy Scouts of America;

Resolutions (filed by Ms. Gifford of Wareham) congratulating Mary Elizabeth Dwyer on her one hundredth birthday;

Resolutions (filed by Ms. Cronin of Easton) congratulating Cole Branagan on his elevation to the rank of Eagle Scout;

Resolutions (filed by Mr. Vega of Holyoke) honoring on their one hundredth anniversary the Kiwanis Club of Holyoke, Massachusetts; and

Resolutions (filed by Ms. Vincent of Revere and other members of the House) recognizing the month of April as Sarcoidosis Awareness Month;

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 of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Mary
Dwyer.

Cole
Branagan.

Holyoke,—
Kiwanis Club.

Sarcoidosis
Awareness Month.

Communication.

A communication from the Dukes 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 the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Dukes County
Registry of
Deeds,—
technology
fund.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Golden of Lowell and Senator Lovely, a joint petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., and Joan B. Lovely for legislation to establish a sick leave bank for David Palazzo, an employee of the Department of Developmental Services.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (subject to Joint Rule 12) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Gloria Phillips, an employee of the Division of Industrial Accidents.

Severally, under Rule 24, to the committee on Rules.

David
Palazzo,—
sick leave.

Gloria
Phillips,—
sick leave.

Papers from the Senate.

The Senate Bill to protect access to confidential healthcare (Senate, No. 2296, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4256, amended) with a further amendment inserting after section 2 (as printed) the following section:

“SECTION 3A. The guidance required under subsection (h) of section 27 of chapter 176O of the General Laws shall be issued or updated to meet the requirements of this act not later than 3 months after the effective date of this act.”

The Senate further amendment was referred, under Rule 35, to the committee

Confidential
healthcare,—
access.

on Bills in the Third Reading.

Bills

Relative to education collaboratives (Senate, No. 2330) (on Senate bill No. 290); and

Relative to protecting puppies and kittens (Senate, No. 2231, amended in section 4, in line 232, by inserting after the word “socialization” the words “path to retirement, litter sizes, exposure to sunlight, time outside the cage”, in lines 235 and 236, by striking out the words “consider the recommended standards of the American Veterinary Medical Association” and inserting in place thereof the words “consider the standards of the Canine Care Certified program administered by the non-profit Center for Canine Welfare and of the American Veterinary Medical Association” (as changed by the Senate committee on Bills in the Third Reading); and in section 5, in line 237, by striking out the words “shall hold a public hearing” and inserting in place thereof the following: “shall hold at least 2 public hearings in geographically different regions”) (on Senate bill No. 1155);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Education
collaboratives.

Animals,—
pet sales.

Reports of Committees.

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 regulating and insuring short-term rentals (House, No. 4314) [for order, see House, No. 4316]. The order then was adopted.

Short-term
rentals,—
procedures.

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:

Joint petition (accompanied by bill) of Paul A. Schmid, III and Michael J. Rodrigues that the Director of Animal Health be authorized to require annual training for municipal animal inspectors. To the committee on Environment, Natural Resources and Agriculture.

Animal
inspectors,—
training.

Petition (accompanied by bill) of Shawn Dooley and others relative to the sale and purchase of butane and propane; and

Butane and
propane.

Petition (accompanied by bill) of Kenneth I. Gordon and others relative to investigations of sexual harassment and discrimination;

Sexual harassment
and discrimination.

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of Nick Collins (with the approval of the mayor and city council) that the Economic Development and Industrial Corporation of the city of Boston be authorized to enter into a single energy management services contract to provide energy management services to all public and private properties, either owned or leased, within the Raymond L. Flynn Marine Park in said city. To the committee on Telecommunications, Utilities and Energy.

Boston,—
energy
management
services.

Under suspension of the rules, on motion of Mr. O’Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill regulating and insuring short-term rentals (House, No. 4287), ought to pass with an

Short-term
rentals,—
regulations.

amendment substituting therefor a bill with the same title (House, No. 4314) [Representative Boldyga of Southwick dissenting]. 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 Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a message from His Excellency the Governor, a Bill financing improvements to municipal roads and bridges (printed in House, No. 4237). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Municipal
roads and
bridges.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill providing for certain health insurance coverage (House, No. 526).

Insurance
coverage.

By the same member, for the same committee, on a petition, a Bill promoting continuity of care for multiple sclerosis treatment (House, No. 529).

Multiple
sclerosis.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide notice to counsel of changes in a child's or a young adult's placement and other events (House, No. 2800).

Notice to
counsel.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to the supplemental application requirement for dwelling fire insurance policies (House, No. 2187).

Fire insurance
policies.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the financial condition of the city of Lynn (House, No. 4302) [Local Approval Received].

Lynn,—
finances.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 4240, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels to the town of Shrewsbury (House, No. 4312) [Local Approval Received].

Shrewsbury,—
land.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to transparency in private utility construction contracts (House, No. 1733).

Private utility
construction
contracts.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill establishing a rapid transportation pilot for the Fairmount corridor (House, No. 2723).

Fairmount
corridor,—
pilot project.

By the same member, for the same committee, on a petition, a Bill improving the accessibility of certain Massport environmental data relative to East Boston (House, No. 3533).

Massport,—
environmental
impact.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to elections in the city known as the town of Greenfield (House, No. 2778) [Local Approval Received].

Greenfield,—
elections.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on a petition, a Bill relative to tobacco premium ratings (House, No. 521).

By the same member, for the same committee, on a petition, a Bill to add a compulsory death benefit to automobile liability insurance (House, No. 2195).

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to certain affordable housing in the Jamaica Plain section of the city of Boston (House, No. 4238) [Local Approval Received].

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the tenure of office of the city clerk of the city of Revere (House, No. 4264) [Local Approval Received].

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill honoring Bob Cousy (House, No. 3534).

By the same member, for the same committee, on a petition, a Bill electric vehicle charging stations [sic] (House, No. 4069) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering Policy and Scheduling.

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following bills be scheduled for consideration by the House:

The Senate Bill designating February 14 as Frederick Douglass Day (Senate, No. 1740, amended); and

House bills

To establish the uniform enforcement of foreign judgments (House, No. 718);

To strengthen civil rights (House, No. 767);

To advance hate-crime protections for victims who are targeted due to their gender (House, No. 774);

Prohibiting gunfire directed at dwelling houses (House, No. 908);

Further regulating the Commission on Falls Prevention (House, No. 1164);

Relative to increasing the fines and penalties for texting and driving (House, No. 1792);

Relative to year of manufacture registration plates (House, No. 1872);

Criminalizing sexual assault by fraud by a medical professional (House, No. 2289);

To add law enforcement councils to the Massachusetts TORT Claims Act (House, No. 2356);

Restoring accountability in claims against certain non-governmental actions for damage caused by public way defects (House, No. 2724);

Regarding right of way violations (House, No. 2752);

Concerning the Massachusetts Probation Service (House, No. 3099);

Relative to expired licenses (House, No. 3432);

To prevent jaywalking (House, No. 4226) [Representative Meschino of Hull, of the committee on Transportation, dissenting]; and

Relative to farmers' markets (House, No. 4233);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Tobacco,—
ratings.

Automobile
insurance.

Boston,—
housing.

Revere,—
city clerk.

Boston,—
Cousy way.

Boston,—
electric vehicles.

Frederick
Douglass day.

Foreign judgments.
Civil rights.

Hate-crimes,—
gender.

Gunfire.

Falls prevention.

Driving,—
texting fines.

Antique cars.

Sexual assault,—
fraud.

Claims Act,—
law council.

Public ways,—
defects.

Rights of way.

Probation service.

Expired licenses.

Jaywalking.

Farmers' markets.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Elis Sanchez-O'Shea, an

Elis Sanchez-
O'Shea,—

employee of the Trial Court of the Commonwealth (see House, No. 4150), 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.

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 3 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill designating a certain park in the city of Quincy as the Richard “Dick” Herbert Memorial Park (see House, No. 4298) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, 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 House Bill designating a certain bridge in the town of Hudson as the Private First Class Kenneth M. Thibault memorial bridge (House, No. 4023) (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; and it was passed to be engrossed. Sent to the Senate for concurrence.

Hudson,—
Thibault
bridge.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o’clock A.M.

Next
sitting.

At twenty-four minutes after eleven o’clock A.M., on motion of Mrs. Harrington of Groton (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Wednesday at eleven o’clock A.M.