

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, APRIL 17, 2018.

[42]

JOURNAL OF THE HOUSE.

Tuesday, April 17, 2018.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Nangle of Lowell in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Nangle), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to building on criminal justice reform (House, No. 4426), was filed in the office of the Clerk on Friday, April 13.

Criminal
justice,—
reforms.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. 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 Mr. Mariano of Quincy) reaffirming friendship between the Commonwealth and Taiwan and enhancing bilateral relations and supporting Taiwan in the international community; and

Taiwan.

Resolutions (filed by Ms. Dykema of Holliston and other members of the House) commemorating the celebration of the Sikh Festival of Vaisakhi;

Sikh Festival
of Vaisakhi.

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

Orders.

The following order (filed by Mr. Golden of Lowell) 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 Telecommunications, Utilities and Energy be granted until Thursday, April 26, 2018 within which time to make its final report on current House documents numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634, 3742, 4149, 4151, 4222, 4324 and 4371.

Telecommunica-
tions, Utilities
and Energy
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4412), ought to be adopted. Under suspension of the rules, on motion

of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Cronin of Easton) 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 the Judiciary be granted until Wednesday, May 2, 2018 within which time to make its final report on current House documents numbered 4310, 4322, 4323 and 4338.

Judiciary committee,—
extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4413), ought to be adopted. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

From the Massachusetts College of Art and Design (see Section 634 of Chapter 26 of the Acts of 2003) submitting its performance report for the fiscal year 2017;

College of Art and Design.

From the Department of Elementary and Secondary Education (see sections 1B, 1J and 1K of Chapter 69 and Section 38G of Chapter 71 of the General Laws) submitting requests for comment on proposed amendments to 603 CMR 2.00, Regulations on Accountability and Assistance for School Districts and Schools [a copy of said communication was forwarded to the committee on Education, as required by law];

School accountability and assistance regulations.

From the Department of Public Health (see Section 2 of Chapter 111 of the General Laws) submitting the annual report summarizing mortality data and statistics for the calendar year 2015;

Mortality data and statistics.

From the Secretary of the Executive Office of Public Safety and Security submitting the final report of the task force established (see Section 100 of Chapter 284 of the Acts of 2014) to study and report on suitable and feasible options for the safekeeping of a distressed person’s firearms in a location away from the household [copies of the communication forwarded to the committees on Mental Health, Substance Use and Recovery, and Public Safety and Homeland Security, as required by said law];

Distressed persons,—
firearms safekeeping.

From the Department of Transitional Assistance (see Section 2 of Chapter 18 of the General Laws) submitting a report entitled: Report on Economic Independence Accounts [copies were forwarded to the committee on Ways and Means, and the committee on Children, Families and Persons with Disabilities, as required by said law];

DTA,—
economic independence.

From the Department of Transitional Assistance (see Section 2 of Chapter 18 of the General Laws) submitting a report entitled: Report on Transitional Aid to Families with Dependent Children – Eligible Noncitizen Status Clients [copies were forwarded to the committee on Ways and Means, and the committee on Children, Families and Persons with Disabilities, as required by said law];

DTA,—
noncitizen status clients.

From the Department of Transitional Assistance (see Section 2 of Chapter 18 of the General Laws) submitting a report entitled: Electronic Benefit Transfer (EBT) Photo Requirement Exemptions; and

DTA,—
EBT photo exemptions.

From the Department of Transitional Assistance (see Section 32 of Chapter 158 of the Acts of 2014) submitting a report entitled: Agency Paper Reduction Efforts;

DTA,—
paper reduction.

Severally were placed on file.

Annual Report.

The annual report of the State 911 Department (under Section 18B(j) of Chapter 6A and Section 35JJ of Chapter 10 of the General Laws) for the calendar years 2016 and 2017, and the three-year grant expenditure report [copies were forwarded to the committee on Ways and Means, and the committee on Public Safety and Homeland Security, as required by said law], was placed on file.

State 911
Department
report.

Petition.

Representative Kaufman of Lexington and Senator Friedman presented a joint petition (subject to Joint Rule 12) of Jay R. Kaufman, Cindy F. Friedman and others for legislation to authorize the Minuteman Regional Vocational Technical School District to lease certain land and buildings; and the same was referred, under Rule 24, to the committee on Rules.

Minuteman
School District,—
lease.

Papers from the Senate.

A Bill authorizing the town of Hamilton to establish a special fund for the Patton Homestead (Senate, No. 2245) (on a petition) [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.

Hamilton,—
fund.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Hill of Ipswich, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill establishing a student loan bill of rights (Senate, No. 2421) (on Senate bill No. 2380), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Student
loans,—
rights.

A petition (accompanied by bill) of Richard J. Ross and David Paul Linsky for legislation further regulating the value of the assets held by the Bacon Free Library in the South Natick section of the town of Natick, came from the Senate with the endorsement that it had been referred, by said branch, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Natick,—
Bacon Free
Library.

Pending the question on suspension of Joint Rule 12, the petition was transmitted by the Clerk to the State Secretary for a determination of it being subject to Joint Rule 9 and applicable to Section 7 of Chapter 3 of the General Laws.

A petition of Eric P. Lesser for legislation to establish a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Melvin
Maldonado,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2444) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

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:

Honoring Bob Cousy (House, No. 3534);

Relative to certain affordable housing in the Jamaica Plain section of the city of Boston (House, No. 4238) [Local Approval Received];

Establishing a sick leave bank for Gloria Phillips, an employee of the Division of Industrial Accidents (House, No. 4336);

Establishing a sick leave bank for Heidi Souza, an employee of the Department of Correction (House, No. 4372);

Establishing a sick leave bank for Felix Cruz, an employee of the Department of Youth Services (House, No. 4381);

Establishing a sick leave bank for Bethany Ryan, an employee of the Hampshire County Sheriff's Department (House, No. 4403); and

Establishing a sick leave bank for Sonia Morales, employee of the Department of Youth Services (House, No. 4404);

Under suspension of Rule 7A, in each instance, on motion of Mr. Garballey of Arlington, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Bob Cousy.

Boston,—
housing.

Gloria Phillips,—
sick leave.

Heidi Souza,—
sick leave.

Felix Cruz,—
sick leave.

Bethany Ryan,—
sick leave.

Sonia Morales,—
sick leave.

Reports

Of the committees on Rules of the two branches, acting concurrently, that the House Bill affirming inclusion of people with disabilities on commissions of the Commonwealth (House, No. 112) ought NOT to pass (under Joint Rule 10);

Of the same committees, that the House Bill establishing a commission on the status of children and youth (House, No. 1968, changed) ought NOT to pass (under Joint Rule 10); and

Of the same committees, that the House Bill to (1) establish a solid waste management council, (2) to require the Department to increase certain types of data collection; (3) to impose a surcharge on waste disposal; (4) to require municipalities to institute pay as you throw programs if they are generating too much waste for disposal per capita; (5) to require that all waste be disposed of in clear plastic bags; (6) to increase recycling to include mattresses, textiles and additional commercial organic material; and (7) to require secondary markets to report contamination (House, No. 2944) ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, in each instance, on motion of Mr. Galvin of Canton, the reports were considered forthwith, the question being: "Shall this bill be rejected?"

The House then refused to reject the bills; and they were read a second time.

Pending the question on ordering the bills to a third reading, they were referred, in each instance, on motion of the same member, to the committee on Rules.

Disabilities,—
commissions.

Children
and youth.

Waste
management.

Report of the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study by a special commission relative to preparedness for natural disasters (House, No. 1299) ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, on motion of Mr. Galvin of Canton, the report

Natural
disasters,—
study.

UNCORRECTED PROOF.

was considered forthwith, the question being: "Shall this resolve be rejected?"

The House then refused to reject the bill; and it was read a second time.

Pending the question on ordering it to a third reading, the bill was referred, on motion of the same member, to the committee on Rules.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill authorizing the Department of Fish and Game to acquire land of the town of Dalton (House, No. 4301, changed by striking out section 4).

Dalton,—
land.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill temporarily preventing firearm access for extremely dangerous or suicidal individuals (House, No. 3610, changed, in section 3, in line 128, by striking out the figures: "14" and inserting in place thereof the figures: "10", in line 150, by striking out the words "any dangerous mental health issues of the respondent" and inserting in place thereof the words "whether the respondent suffers from a dangerous mental or physical illness", in lines 320, 408 and 413 by striking out the figure: "3" and inserting in place thereof, in each instance, the figure: "2 ½"; and in lines 370 and 371, by striking out the words "or credited to the municipality in which the authority presides to purchase weapons, equipment or supplies or").

Firearm access,—
dangerous
individuals.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 1813, a Bill relative to public safety in excavation (House, No. 4420).

Excavation
safety.

By the same member, for the same committee, on House, Nos. 2743, 2877 and 3428, a Bill to reduce traffic fatalities (House, No. 4421).

Traffic
fatalities.

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

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on Senate, Nos. 840, 988, 1017 and 1020 and House, Nos. 43, 854, 2366, 2371 and on a part of House, No. 42, a Bill relative to the judicial enforcement of noncompetition agreements (House, No. 4419). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Noncompetition
agreements.

Orders of the Day.

The House Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (House, No. 4354) (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.

Sara
Parmenter,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it 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 provide forthwith a sick leave bank for a certain employee of the department of correction, 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. 4354, amended) was passed to be engrossed. Sent to the Senate for concurrence.

UNCORRECTED PROOF.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-four minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Nangle of Lowell being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.