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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**THURSDAY, APRIL 19, 2018.**

[43]

# JOURNAL OF THE HOUSE.

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Thursday, April 19, 2018.

Met at six minutes after 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 Hope and Courage, we give You thanks for the women and men who serve our Commonwealth in and through this chamber. We pray that they may have good health and a spirit of joy as they continue to serve the people of Massachusetts.

Prayer.

We are grateful for our state's history and the role it played in the struggle for freedom.

We remember the town of Concord as today is the anniversary of the battle there in 1775, the second battle that same day in the American colonies' war for independence.

To commemorate the bicentennial of this historic battle, world leaders and prominent US citizens were invited to Concord on this day in 1975. There was a parade and President Gerald Ford delivered a speech near the North Bridge which was televised across the nation.

Today, Concord enjoys its reputation as a picturesque and historic town. The homes of many literary giants of the 19<sup>th</sup> century still stand and are visited by tourists to our area.

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.

## *Appointment to a Special Commission.*

The Speaker announced that he had appointed Representative Rushing of Boston to the special commission established (under Chapter 1 of the Resolves of 2016) to consider the viability of establishing a designed space or facility on the Esplanade, Madison Park high school or another location in the city of Boston to commemorate the visit of Nelson Mandela to the city of Boston in June 1990 and the speech given by him on the Esplanade and at Madison Park high school.

Nelson Mandela visit,— commemoration.

## *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, Allie and Mylie Nicastro and their grandmother, Rosalee Nicastro. At the invitation of the Chair, they participated in the pledge of allegiance to the flag. They were the guests of Ms.

Allie, Mylie and Rosalee Nicastro.

Ferrante of Gloucester.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced students and chaperones from the Weymouth High School Theater Company. The students recently placed first at the annual Massachusetts High School Drama Festival. The Chair presented the company's director, Donnie Norton, with citations of the House congratulating them of their accomplishments. They were the guests of Mr. Murphy of Weymouth and were accompanied by Senator O'Connor.

Weymouth  
High School  
Theater  
Company.

*Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. DiZoglio of Methuen and other members of the House) recognizing May as Erythromelalgia Awareness Month in the Commonwealth;

Erythromelalgia  
Month.

Resolutions (filed by Mr. Sánchez of Boston) honoring Leslie Reid's service to the Jamaica Plain Neighborhood Development Corporation; and

Leslie  
Reid.

Resolutions (filed by Ms. Vincent of Revere) congratulating Jennie Caggiano Mastascusa on the occasion of her one hundredth birthday;

Jennie Caggiano  
Mastascusa.

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

*Petitions.*

Petitions severally were presented and referred as follows:

By Ms. DiZoglio of Methuen, a petition (subject to Joint Rule 12) of Diana DiZoglio relative to products used on newborn infants.

Infant  
products.

By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake relative to the Cape Cod Regional Transit Authority and the Southeastern Regional Transit Authority.

Transit  
authorities.

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

*Papers from the Senate.*

A petition (accompanied by bill, Senate, No. 2423) of Michael D. Brady, Michelle M. DuBois and Walter F. Timilty (by vote of the town) for legislation to establish an East Bridgewater Sewer District, was referred, in concurrence, to the committee on Municipalities and Regional Government.

East  
Bridgewater  
sewer district.

A petition of Richard J. Ross and David Paul Linsky (having been transmitted by the Clerk of the House of Representatives to the State Secretary on April 17, 2018 for a determination of it being subject to Joint Rule 9) 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 (having been returned from the State Secretary with memorandum relative thereto), was referred, under Rule 24, to the committee on

Natick,—  
Bacon Free  
Library.

Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rules 12 and 9 be suspended. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill, Senate, No. 2482) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence in the suspension of Joint Rule 9.

*Reports of Committees.*

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill ratifying the adoption of the charter of the town of Abington (printed in Senate, No. 2278); and

House bills

Designating Dysautonomia & POTS Awareness Month (House, No. 1667);

Designating inflammatory breast cancer awareness day (House, No. 1678);

Designating the song "Roadrunner" as the official rock song of the Commonwealth (House, No. 1683);

Designating the official seasoning of the Commonwealth (House, No. 1693);

Authorizing Brian M. Belfiore to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4186) [Local Approval Received];

Relative to the classification of certain employees of the South Essex Sewerage District (House, No. 4253); and

Authorizing the town of Hopkinton to establish a means-tested senior citizen property tax exemption (House, No. 4389) [Local Approval Received];

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

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill to require employers to employed individuals to be trained in OSHA (House, No. 3136).

By the same member, for the same committee, on a petition, a Bill extending protections to employees of the Commonwealth (House, No. 3149).

By the same member, for the same committee, on House, Nos. 1007 and 1023, a Bill requiring health care employers to develop and implement programs to prevent workplace violence (House, No. 4418).

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on a petition, a Bill relative to creating a pilot program to transfer high acuity behavioral health and dual diagnosis patients away from overcrowded emergency departments (House, No. 1064).

By the same member, for the same committee, on a petition, a Bill relative to creating intensive stabilization and treatment units within the Department of Mental Health (House, No. 1065).

By the same member, for the same committee, on a petition, a Bill relative to mental health and substance abuse treatment facilities (House, No. 1075, changed in line 3 by inserting after the figures: "60" the word "business").

Abington,—  
charter.

Dysautonomia.

Breast cancer.

Official  
rock song.

Seasoning.

Haverhill,—  
Brian  
Belfiore.

South Essex  
Sewerage District.

Hopkinton,—  
property tax  
exemption.

OSHA  
training.

Employee  
protections.

Workplace  
violence,—  
prevention.

Emergency  
departments.

DMH,—  
treatment  
units.

Treatment  
facilities.

<p>By the same member, for the same committee, on a petition, a Bill relative to the safe care of residents with active substance use disorder accessing skilled nursing facility care (House, No. 2073).</p>	<p>Skilled nursing care,— access.</p>
<p>Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.</p>	
<p>By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, Nos. 2834 and 3770, a Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.</p>	<p>Life sciences industry.</p>
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 1973 and 3465, a Bill to mandate domestic violence and sexual assault awareness education for aestheticians, barbers, cosmetologists, electrologists, hairdressers, manicurists, and massage therapists (House, No. 4427).</p>	<p>Sexual assault,— education.</p>
<p>By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 2932, a Bill establishing the Mohawk Trail Woodlands partnership (House, No. 4433).</p>	<p>Mohawk Trail Woodlands.</p>
<p>By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on a petition, a Bill promoting public labor contracts for local residents (House, No. 2377).</p>	<p>Labor contracts.</p>
<p>By the same member, for the same committee, on a petition, a Bill to protect locked out employees (House, No. 3133).</p>	<p>Locked out employees.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to contractor accountability (House, No. 3137).</p>	<p>Contractor accountability.</p>
<p>By the same member, for the same committee, on a petition, a Bill to promote employment (House, No. 3139).</p>	<p>Employment.</p>
<p>By the same member, for the same committee, on a petition, a Bill protecting workers' wages from arbitrary recoupment of overpayments (House, No. 3141).</p>	<p>Workers' wages.</p>
<p>By the same member, for the same committee, on Senate, No. 1005 and House, Nos. 3145 and 3146, a Bill relative to workforce development and job training (House, No. 3160).</p>	<p>Job training.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to workers[sic] compensation classification appeals (House, No. 3161).</p>	<p>Worker's compensation.</p>
<p>By the same member, for the same committee, on a petition, a Bill to enhance employment outcomes and strengthening workforce development programs for persons with intellectual and developmental disabilities (House, No. 4168).</p>	<p>Workforce development.</p>
<p>Severally read; and referred, under Rule 33, to the committee on Ways and Means.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4161, a Bill authorizing the town of Dedham to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4416) [Local Approval Received] [Mr. Howitt of Seekonk dissenting].</p>	<p>Dedham,— liquor license.</p>
<p>By the same member, for the same committee, on House, No. 4164, a Bill authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4417) [Local Approval</p>	<p>Id.</p>

Received].

By the same member, for the same committee, on House, No. 4068, a Bill authorizing the town of Brookline to grant 35 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and 5 additional licenses for the sale of wines and malts [sic] to be drunk on the premise (House, No. 4428) [Local Approval Received].

Brookline,—  
liquor  
licenses.

By the same member, for the same committee, on House, No. 4254, a Bill authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 4429) [Local Approval Received].

Tyngsborough,—  
liquor  
licenses.

By the same member, for the same committee, on House, No. 4255, a Bill authorizing the town of Tyngsborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4430) [Local Approval Received].

Id.

By the same member, for the same committee, on House, No. 4307, a Bill authorizing the town of Holliston to convert a license for the sale of wine and malt beverages not to be drunk on the premises to a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4431) [Local Approval Received].

Holliston,—  
liquor  
license.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill to prevent concussion and head injury (House, No. 220).

Head injury  
prevention.

By the same member, for the same committee, on a petition, a Bill authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (House, No. 4094).

Nilman  
Scholarship  
trust fund.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a recommitted joint petition, a Bill relative to certain county elections for certain vacancies (House, No. 390).

County  
elections.

By the same member, for the same committee, on a petition, a Bill providing for recall elections in the town of Erving (House, No. 4144) [Local Approval Received].

Erving,—  
recall  
elections.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of Clause 41C½ of Section 5 Chapter 59 of the Massachusetts General Laws [sic] (House, No. 4249) [Local Approval Received].

Newburyport,—  
special  
elections.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4230, a Bill requiring reserve electric power at wastewater treatment facilities (House, No. 4434).

Wastewater  
facilities.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court (House, No. 4423).

Stephanie  
Perez,—  
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (House, No. 4424).

George  
Hodgdon,—  
sick leave.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, Nos. 2372 and 3153, a Bill regulating the use of credit reports by employers (House, No. 3153).

Employers,—  
credit reports.

By the same member, for the same committee, on a petition, a Bill to clarify the tips law (House, No. 3156).

Tips  
law.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Norfolk to convey certain land on Priscilla Avenue (House, No. 4148) [Local Approval

Norfolk,—  
land.

Received].

By the same member, for the same committee, on a joint petition, a Bill to establish a public art fund in the town of Amherst (House, No. 4163) [Local Approval Received].

Amherst,—  
art fund.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill exempting the position part-time officer in the police department in the town of Athol from the civil service law (House, No. 4146) [Local Approval Received].

Athol,—  
civil service.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Daisy F. Bolden, an employee of the Massachusetts Teachers' Retirement System (House, No. 4409).

Daisy  
Bolden,—  
sick leave.

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

### *Engrossed Bills.*

#### Engrossed bills

Establishing a private road maintenance revolving fund in the town Westminster (see House, No. 3905); and

Bills  
enacted.

Establishing the position of town manager in the town of Ayer (see House, No. 4080, amended);

(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.

### *Reconsideration.*

Mr. Golden of Lowell asked that the vote be reconsidered by which the House, at the preceding sitting, adopted the following order:

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

*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 (House, No. 4412).

The motion was entertained; and it prevailed.

Pending the recurring question on adoption of the order, the same member moved to amend it in line 4 by striking out the following: “, 4324 and 4371” and inserting in place thereof the following: “and 4324”; and the amendment was adopted.

The order (House, No. 4412, amended) then also was adopted. Sent to the Senate for concurrence.

### *Orders of the Day.*

#### Senate bills

Establishing a sick leave bank for Sarah Chaplin, an employee of the Department of Correction (Senate, No. 2084, amended);

Third  
reading  
bills.

Authorizing the city of Easthampton to lease certain real estate (Senate, No. 2152, changed); and

Authorizing the town of Hamilton to establish a special fund for the Patton Homestead (Senate, No. 2245);

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.

House bills

Authorizing the town of Shutesbury to convey certain land (House, No. 4125); Id.  
and

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

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. Severally sent to the Senate for concurrence.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

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At twenty-four minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at ten o'clock A.M.