

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**MONDAY, APRIL 30, 2018.**

[45]

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Monday, April 30, 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:

God of Generosity and Concern, we ask Your blessing today upon the membership of this House chamber and the many staff who work within these walls.

Prayer.

We are grateful for the spirit of generosity and philanthropy that has been a trademark of our commonwealth.

We remember today marks the 150<sup>th</sup> anniversary of the renaming of the old Essex town of South Danvers.

Peabody is named after native son George Peabody. Growing up in poverty, George Peabody became a great financier in this country and in the United Kingdom.

Becoming a city in 1916, Peabody's high school name is the Tanners, developed from the history of tanneries that once dominated the downtown area.

We pray for 12<sup>th</sup> Essex Representative Thomas Walsh and 13<sup>th</sup> Essex Representative Theodore Speliotis.

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.

## *Statement Concerning Representative Walsh of Framingham.*

A statement of Mr. Rushing of Boston concerning Mr. Walsh of Framingham 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 one of our colleagues, Representative Walsh of Framingham, was unable to be present in the House Chamber last week due to treatment at Dana Farber, which did not permit him to be present for the sessions of Monday, Tuesday, Wednesday and Thursday.

Statement concerning Mr. Walsh of Framingham.

On April 23<sup>rd</sup>, 2018. During the formal session:

- The House voted to suspend Rule 1A, allowing the House to meet until midnight.
- The House voted to reject Amendment 31 Regional School Transportation – Appropriation Increase to look at regional school transportation.
- The House voted to adopt the consolidated amendment relative to Education and Local Aid.

Had he been able to vote, he would have voted YES on the suspension of Rule 1A and the adoption of the consolidated amendment 'A' and NO to reject

Amendment #31.

On April 24<sup>th</sup>, 2018. During the formal session:

- The House voted to adopt the consolidated amendment ‘B’ relative to Energy & Environment.
- The House voted to adopt the consolidated amendment ‘C’ relative to Social Services & Veterans.
- The House voted to adopt amendment 733 regarding the ‘Representative Gailanne M. Cariddi Visitor Center at Mt. Greylock State Reservation’.
- The House voted to adopt the consolidated amendment ‘D’ relative to Health & Human Services and Elder Affairs.

Had he been able to vote, he would have voted YES on these four roll calls.

On April 25<sup>th</sup>, 2018. During the formal session:

- The House voted to adopt the consolidated amendment ‘E’ relative to Judiciary and Public Safety.
- The House voted to reject amendment 347 ‘An Act to clarify the jurisdiction of law enforcement officials on immigration issues’
- The House voted to adopt amendment 227 ‘An amendment regarding sanctuary cities and towns’ as amended.
- The House voted on the suspension of Rule 1A allowing the House to meet past 9 pm.
- The House voted to adopt consolidated amendment ‘F’ relative to Housing, Mental Health and Disability Services.
- The House voted to adopt the consolidated amendment ‘G’ relative to Public Health.

Had he been able to vote, he would have voted YES on the roll calls to adopt the consolidated amendments, on amendment 227, and the suspension of Rule 1A. He would have voted NO on amendment 347.

On April 26<sup>th</sup>, 2018. During the formal session:

- The House voted to adopt the consolidated amendment ‘H’ relative to Constitutional Officers, State Administration and Transportation.
- The House voted to adopt amendment 1248 regarding Conservation Land Tax Incentives.
- The House voted to adopt amendment 908 regarding Massachusetts procedures for missing and abducted children
- The House voted to adopt the consolidated amendment ‘I’ relative to Labor and Economic Development.
- The House voted on House Bill 4449 An Act Financing Improvements to Municipal Roads and Bridges.
- The House voted on House Bill 4400 An Act Making Appropriations for the Fiscal Year 2019 for the Maintenance of the Departments, Boards, Commissions, Institutions, and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.

Had he been able to vote, he would have voted YES on the adoption of the consolidated amendments, on the amendments, on House Bill 4449 and on House Bill 4400.

His missing of roll calls last week was due entirely to the reason stated.

**UNCORRECTED PROOF.**

*Resolutions.*

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

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Emily Wen on receiving the Gold Award of the Girl Scouts of the United States of America;

Emily  
Wen.

Resolutions (filed by Mr. McMurtry of Dedham) honoring F. Timothy Hegarty, Jr. for his outstanding philanthropical contributions to the town of Dedham; and

F. Timothy  
Hegarty.

Resolutions (filed by Representatives Sánchez of Boston and Malia of Boston) celebrating forty years of Boston's Wake Up the Earth Festival;

Wake Up the  
Earth Festival.

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.

*Order.*

The following order (filed by Ms. Peisch of Wellesley) 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 Education be granted until Friday, June 22, 2018 within which time to make its final report on current Senate document numbered 2390, and House document numbered 4378.

Education  
committee,—  
extension  
of time for  
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4414), ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend it by striking out the date "Friday, June 22" and inserting in place thereof the date "Tuesday, May 15". The amendment was adopted.

The order (House, No. 4414, amended) then also was adopted. Sent to the Senate for concurrence.

*Petition.*

Representative Vincent of Revere and Senator Boncore presented a joint petition (accompanied by bill, House, No. 4458) of RoseLee Vincent and Joseph A. Boncore (with the approval of the mayor and city council) that the city of Revere be authorized to establish penalties and liens for certain water meter ordinance violations; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Revere,—  
ordinance  
violations.

*Papers from the Senate.*

A Bill relative to student loan debt and professional licensure (Senate, No. 2266) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Licensing,—  
student loan  
defaulters.

**UNCORRECTED PROOF.**

A Bill further regulating the Commission on Falls Prevention (Senate, No. 1208) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Falls Prevention  
Commission,—  
membership.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2504) of Richard Tomczyk for legislation relative to the photocopying, scanning or retaining of identification by private establishments. To the committee on Consumer Protection and Professional Licensure.

Identification,—  
access.

Petition (accompanied by bill, Senate, No. 2505) of Debra Puccio for legislation relative to the requirement to disclose mental health issues to the registrar. To the committee on Transportation.

Mental  
health,—  
disclosure.

*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 Diana DiZoglio, Bruce J. Ayers and Brian M. Ashe relative to the online advertising of pet care services. To the committee on Consumer Protection and Professional Licensure.

Pet care,—  
advertising.

Petition (accompanied by bill) of Diana DiZoglio and others that the Department of Public Health be authorized to establish a task force to investigate best practices for alcohol and drug free housing. To the committee on Mental Health, Substance Use and Recovery.

Sober  
homes.

Petition (accompanied by bill) of Diana DiZoglio relative to products used on newborn infants. To the committee on Public Health.

Infant  
products.

Petition (accompanied by bill) of Sarah K. Peake relative to the Cape Cod Regional Transit Authority and the Southeastern Regional Transit Authority. To the committee on Transportation.

Transit  
authorities.

Under suspension of the rules, on motion of Mr. Lawn of Watertown, 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 bills be scheduled for consideration by the House:

Senate bills

Validating certain proceedings of the town of Hull (printed in Senate, No. 2157); and

Hull,—  
town meeting.

Authorizing the town of Westport to grant 1 additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2303) [Local Approval Received]; and

Westport,—  
liquor license.

House bills

Authorizing veterans to use facilities of the Pioneer Valley Transit Authority without cost to such veterans (House, No. 1944);

Pioneer Valley  
Transit Authority.

Authorizing the town of Norfolk to convey certain land on Priscilla Avenue (House, No. 4148) [Local Approval Received];

Norfolk,—  
land.

To establish a public art fund in the town of Amherst (House, No. 4163) [Local Approval Received];

Amherst,—  
art commission.

**UNCORRECTED PROOF.**

[sic] The boardwalk at Heritage State Park in the city of Fall River shall be designated and known as the Robert Correia Boardwalk, in honor of former State Representative Robert Correia (House, No. 4166);

Fall River,—  
Correia  
boardwalk.

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 (House, No. 4249) [Local Approval Received];

Newburyport,—  
election.

Repealing a certain act increasing the expenditure limit on revolving funds in the city of Attleboro (House, No. 4299) [Local Approval Received];

Attleboro,—  
funds.

Authorizing the town of Falmouth to transfer a parcel of land commonly known as the Farley Bog (House, No. 4341) [Local Approval Received];

Falmouth,—  
land.

To allow for school districts to collect a fee associated with nonresident pupil transportation (House, No. 4392);

Schools,—  
transportation.

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]; and

Holliston,—  
liquor license.

Requiring reserve electric power at wastewater treatment facilities (House, No. 4434);

Wastewater  
facilities.

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

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:

Senate bills

Relative to the charter of the town of Sutton (Senate, No. 1131, amended) [Local Approval Received]; and

Sutton,—  
charter.

Relative to the appointment of retired police officers in the town of Essex (Senate, No. 2271); and

Essex,—  
police.

House bills

Relative to the retirement classification of Boston school police officers (House, No. 1363) [Local Approval Received]; and

Boston,—  
police.

Relative to protecting the rights of custodial and other non-teaching employees of school districts (House, No. 1390);

School  
employees,—  
rights.

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

By Mr. Galvin of Canton, for the committee on Rules, that the Bill relative to the conservation of Atlantic striped bass (House, No. 4274), ought to pass.

Atlantic  
striped bass.

By the same member, for the committees on Rules of the two branches, acting concurrently, that the Bill building for the future of the Commonwealth (House, No. 4397), ought to pass.

Building  
codes.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 2379 and House, Nos. 4266, 4318 and 4321, a Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438). Read; and referred, under Rule 17G, to the committee on Bonding,

Climate  
change.

**UNCORRECTED PROOF.**

Capital Expenditures and State Assets.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House, No. 2662, a Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the town of Southborough (House, No. 4439). Read; and referred, under Rule 33, to the committee on Ways and Means.

Southborough,—  
land.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the exchange of a parcel of land located on the Lenox/Richmond town line, owned by the town of Lenox with two parcels of land in Lenox, located on West Mountain Road and West Dugway Road (House, No. 4411) [Local Approval Received].

Lenox,—  
land.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (House, No. 4450).

Paula  
Donahue,—  
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Audrey Art, an employee of the department of children and families (House, No. 4451).

Audrey Art,—  
sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Paul Walsh, an employee of the Department of Corrections [sic] (House, No. 4452).

Paul  
Walsh,—  
sick leave.

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

*Engrossed Bill and Resolve.*

The engrossed Bill authorizing the treasurer of Plymouth County to transfer certain funds (see House, No. 4034) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

The engrossed Resolve reviving and continuing the special commission studying cutting, welding and hot work processes regulated by the State Fire Code (see House, No. 4098, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

Resolve  
passed.

*Orders of the Day.*

The House Bill relative to counterfeit airbag prohibition (House, No. 4051), 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.

Counterfeit  
airbags.

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The House Bill authorizing the town of Danvers to grant 10 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3982) (its title having been changed by the committee on Bills in the Third

Danvers,—  
liquor  
license.

**UNCORRECTED PROOF.**

Reading), reported by said committee to be correctly drawn, was read a third time.

Pending 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. 4459), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. 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 Thursday next at eleven o'clock A.M.

Next  
sitting.

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At twenty-seven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.