

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, MAY 3, 2018.

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JOURNAL OF THE HOUSE.

Thursday, May 3, 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 Hope and Consolation, we pray yet again for one of our Chamber's elected officials who has died, 5th Middlesex Representative Chris Walsh of Framingham.

We take a moment of silence to remember Representative Walsh.

May God watch over this servant of the Commonwealth as well as his wife Cindy, his children, his staff, co-workers, friends and fellow representatives.

Amen.

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.

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, the cast, crew and directors from the Sharon High School Theater Company, one of the winners of the 2018 Massachusetts Educational Theater Guild's High School Festival. The Company beat out 111 other shows to capture Sharon's first state title in fourteen years. The Company was led by directors Aaron Waiter, Beth Reardon and Sandra Dennis, who will be retiring after 28 years of running the company. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Kafka of Stoughton.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, seventh grade students from the St. Francis Xavier School in Weymouth. The students, including Tyler Engren, the nephew of Mr. Murphy of Weymouth, were accompanied by their teachers Richard Kelly and Debbie Hayden. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Murphy and also of Senator O'Connor.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, a show choir called Impressions from Webster. Impressions has received three grand champion trophies this year. They were the guests of Mr. McKenna of Webster and also of Senator Fattman.

Prayer.

Pledge of
allegiance.

Sharon High
School Theater
Company.

Weymouth,—
St. Francis
Xavier School.

Webster,—
Impressions
show choir.

Orders.

The following order (filed by Ms. 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, June 6, 2018 within which time to make its final report on current House documents numbered 2274, 3093 and 4310.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4453), ought to be adopted. Under suspension of the rules, on motion of Ms. Cronin of Easton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Judiciary committee,—
extension
of time for
reporting.

The following order (filed by Mr. Brodeur of Melrose) 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 Labor and Workforce Development be granted until Monday, July 2, 2018 within which time to make its final report on current Senate documents numbered 88, 1004, 1040 and 1048, and House documents numbered 1015, 1021, 1970, 2172, 2365, 3134, 3152, 3154 and 4058.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4460), ought to be adopted. Under suspension of the rules, on motion of Mr. Brodeur of Melrose, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Labor and
Workforce
Development
committee,—
extension
of time for
reporting.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Thomas P. Kehoe on the occasion of his retirement;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Ryan Matthew Lynch on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Benjamin Quade on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Poirier of North Attleborough and other members of the House) congratulating Kathleen Garganta on her retirement from Bristol Community College;

Resolutions (filed by Mr. Kafka of Stoughton) honoring Lisa Kritz for her dedication to the youth of the Jewish community and for thirty years of service to Hertz Nursey School, Temple Israel Sharon;

Resolutions (filed by Mr. Sánchez of Boston) honoring Margaret Noces [sic] service to the neighborhood of Jamaica Plain;

Resolutions (filed by Mr. Smizik of Brookline) congratulating the third grade at the Edward Devotion School in Brookline on their participation in the thirty fourth annual John F. Kennedy Essay and Poetry Program;

Resolutions (filed by Representatives Whelan of Brewster and Peake of Provincetown) congratulating Peter Norton on his years of distinguished service to the town of Brewster; and

Resolutions (filed by Representatives Whelan of Brewster and Peake of

Thomas
Kehoe.

Ryan
Lynch.

Benjamin
Quade.

Kathleen
Garganta.

Lisa
Kritz.

Margaret
Noces.

Brookline,—
Edward
Devotion School.

Peter
Norton.

Cleon

Provincetown) congratulating Cleon H. Turner on his retirement;

Turner.

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

Communications.

Communications

From the Department of Public Health (see Section 232 of Chapter 111 of the General Laws) submitting 2015 data statistics of suicides in the Commonwealth; and

Suicide,—
statistics.

From the Department of Public Health (see Section 25A of Chapter 112 of the General Laws) submitting the annual report on Investigatory and Disciplinary Actions Conducted by the Board of Registration in Pharmacy for the calendar year 2017;

Pharmacy
board,—
investigations.

Report.

A quarterly report of the Department of Public Health (under Chapter 47 of the Acts of 2017) submitting the Early Intervention program report for the second quarter of fiscal year 2018, was placed on file.

Early
Intervention
program.

Petitions.

Representative O'Day of West Boylston and Senator Gobi presented a joint petition (subject to Joint Rule 12) of James J. O'Day and Anne M. Gobi for legislation to establish a sick leave bank for Maria Benitez, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the committee on Rules.

Maria
Benitez,—
sick leave.

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 Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Ferguson of Holden and Senator Gobi, a joint petition (subject to Joint Rule 12) of Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Barbara Harrington, an employee of the Department of State Police.

Barbara
Harrington,—
sick leave.

By Mr. Smola of Warren, a petition (subject to Joint Rule 12) of Todd M. Smola and Anne M. Gobi for legislation to establish a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services.

Sandra Elizabeth
Smith,—
sick leave.

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

Papers from the Senate.

The House Bill removing fees for security freezes and disclosures of consumer credit reports (House, No. 4241), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2492; inserting before the enacting clause the following emergency preamble

Consumers,—
credit reports.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enhance forthwith the ability of consumers to protect their credit reports, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act relative to consumer protection from security breaches”.

Under suspension of Rule 35, on motion of Mr. Chan of Quincy, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Chan, Hunt of Boston and Hunt of Sandwich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendments, concurred with the House in the appointment of a committee of conference; and that Senators L’Italien, Keenan and Fattman had been joined as the committee on the part of the Senate.

Id.

The House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4382), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2493.

Supplemental
budget.

Under suspension of Rule 35, on motion of Mr. Sánchez of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Sánchez, Kulik of Worthington and Smola of Warren were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Spilka, Lovely and deMacedo had been joined as the committee on the part of the Senate.

Id.

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 Kay Khan, Marjorie C. Decker and others for legislation to prohibit police officers from engaging in sexual relations while on duty. To the committee on the Judiciary.

Police,—
sexual
relations.

Joint petition (accompanied by bill) of Jay R. Kaufman, Cindy F. Friedman and

Minuteman

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others for legislation to authorize the Minuteman Regional Vocational Technical School District to lease certain land and buildings. To the committee on Municipalities and Regional Government.

School District,—
lease.

Petition (accompanied by bill) of Shawn Dooley relative to the veteran status of certain reservists. To the committee on Veterans and Federal Affairs.

Reservists,—
veterans status.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, 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 House Bill establishing a sick leave bank for Audrey Art, an employee of the Department of Children and Families (House, No. 4451), be scheduled for consideration by the House.

Audrey Art,—
sick leave.

Under suspension of Rule 7A, on motion of Mr. Chan of Quincy, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been 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.

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

Increasing city of Gloucester parking fines (Senate, No. 2223) [Local Approval Received]; and

Gloucester,—
parking fines.

Further regulating the membership of the licensing commission and the board of election commissioners of the city of Somerville (Senate, No. 2294) [Local Approval Received]; and

Somerville,—
commissions.

House bills

Prohibiting robocalls to all mobile telephone devices (House, No. 201);

Robocalls.

Relative to used police cars sold at auction (House, No. 210);

Police cars.

Related to state fire code enforcement reporting (House, No. 1256);

Fire code.

Relative to seat belts on school buses (House, No. 1257);

School buses.

Authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (House, No. 4094);

Mohawk Trail
School District.

Providing for recall elections in the town of Erving (House, No. 4144) [Local Approval Received];

Erving,—
elections.

Exempting the position part-time officer [sic] in the police department in the town of Athol from the civil service law (House, No. 4146) [Local Approval Received];

Athol,—
police.

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.

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 to be drunk on the premise [sic] (House, No. 4428) [Local Approval Received];

Brookline,—
liquor
licenses.

Establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (House, No. 4450); and

Paula Donahue,—
sick leave.

Establishing a sick leave bank for Paul Walsh, an employee of the Department

Paul Walsh,—

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of Corrections [sic] (House, No. 4452);

sick leave.

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.

By Ms. Hogan of Stow, for the committee on Public Health, on Senate, Nos. 142 and 1169 and House, Nos. 2474 and 2820, a Bill to improve oral health for all Massachusetts residents (House, No. 4454). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Oral health.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, No. 3928, a Bill establishing a special commission on adult guardianship and conservatorship practices (House, No. 4456). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Adult guardianship.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 2388 and House, No. 4300, a Bill relative to kosher food signage (House, No. 4461).

Kosher food.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, Nos. 948, 2330 and 3655, a Bill relative to transmitting indecent visual depictions by teens (House, No. 4455).

Indecent depictions.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to a Medford residential development easement (House, No. 4373, changed in section 1, in line 1, by striking out the figures: "34" and inserting in place thereof the figures: "32").

Medford,— residential development.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, No. 4340, a Bill authorizing the town of Montague to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4462) [Local Approval Received].

Montague,— liquor license.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill strengthening the penalty for assault or assault and battery on an emergency medical technician, ambulance operator, ambulance attendant or health care provider (House, No. 795).

First responders,— assault.

By the same member, for the same committee, on a petition, a Bill relative to the protection of persons with disabilities (House, No. 933).

Persons with disabilities.

By the same member, for the same committee, on a petition, a Bill relative to offenses while driving on a suspended license (House, No. 2307).

Suspended licenses.

By the same member, for the same committee, on House, No. 707, a Bill relative to speed limitations near waste or recycling collection vehicles (House, No. 4463).

Collection vehicles,— speed limits.

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

Emergency Measure.

The engrossed Bill designating a certain bridge in the towns of Hanson and Hanover as the Hon. Charles W. Mann bridge (see House, No. 3849, amended),

Honorable Charles W. Mann bridge.

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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 6 to 0. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill exempting Brian M. Belfiore from the civil service maximum age requirements for the position of firefighter in the city of Haverhill (House, No. 4186) (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.

Haverhill,—
Brian
Belfiore.

The House Bill providing a charter for the city of Melrose (House, No. 4102), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Melrose,—
charter.

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. 4464), 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 Monday next at eleven o'clock A.M.

Next
sitting.

At half past eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.