

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 7, 2018.

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. O'Day of West Boylston 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. O'Day), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

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 Joseph Coleman Pariser on receiving the Eagle Award of the Boy Scouts of America;

Joseph
Pariser.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Kathryn Augustine on receiving the Gold Award from the Girl Scouts of America;

Kathryn
Augustine.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Elisabeth Eappen on receiving the Gold Award from the Girl Scouts of America;

Elisabeth
Eappen.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Danielle Simone Feinstein on receiving the Gold Award from the Girl Scouts of America;

Danielle
Feinstein.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Olivia Eve Fennell on receiving the Gold Award from the Girl Scouts of America;

Olivia
Fennell.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Sophie Claire Fennell on receiving the Gold Award from the Girl Scouts of America;

Sophie
Fennell.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Alina Hachigian on receiving the Gold Award from the Girl Scouts of America;

Alina
Hachigian.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Julia Jesurum on receiving the Gold Award from the Girl Scouts of America; and

Julia
Jesurum.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Amanda Margaret Mosher on receiving the Gold Award from the Girl Scouts of America;

Amanda
Mosher.

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.

Order.

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, June 21, 2018 within which time to make its final report on current House documents

Telecommunication
s, Utilities
and Energy
committee,—

numbered 1739, 1746, 1747, 1748, 1751, 2600, 2700, 2706, 2709, 2712, 3396, 3634, 3742, 4149, 4151, 4222 and 4324.

extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4457), ought to be adopted. Under suspension of the rules, on motion of Mr. Golden, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communication.

A communication from the Special Commission on School Library Services (see Section 236 of Chapter 165 of the Acts of 2014) submitting its findings and recommendations concerning equity and access for students in the Commonwealth, was placed on file.

School
libraries,—
services.

Reports

Reports

Of the Special Commission on Behavioral Health Promotion and Upstream Prevention (see Section 193 of Chapter 133 of the Acts of 2016) submitting a report entitled “A Plan to Promote Mental, Emotional, and Behavioral Health and to Prevent Behavioral Health Issues in our Commonwealth”; and

Behavioral
Health.

Of the Executive Office of Energy and Environmental Affairs (under Section 3 of Chapter 21I of the General Laws) relative to the Toxics Use Reduction Program activities and accomplishments for fiscal year 2017;

Toxics use
reduction.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Muratore of Plymouth and Senator deMacedo, a joint petition (accompanied by bill, House, No. 4477) of Mathew Muratore and Viriato M. deMacedo (by vote of the town) that the town of Plymouth be authorized to grant easements relative to the Obery Street roadway improvement project in said town. To the committee on Municipalities and Regional Government.

Plymouth,—
easements.

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 4478) of Angelo J. Puppolo, Jr., and others (with the approval of the mayor and city council) that the city of Springfield be authorized to use retired police officers of said city as special police officers for the purpose of performing certain police duties. To the committee on Public Service.

Springfield,—
police.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Fernandes of Falmouth, a petition (subject to Joint Rule 12) of Dylan Fernandes that the county commissioners of the county of Dukes County be authorized to raise and expend funds for certain costs of designing and constructing improvements to the Martha’s Vineyard Airport’s wastewater treatment facility.

Dukes County,—
wastewater
facility.

By Ms. Ferrante of Gloucester, a petition (subject to Joint Rule 12) of Ann-Margaret Ferrante and others for legislation to establish maritime commercial development tax credits.

Maritime
development,—
tax credits.

By Representative Muradian of Grafton and Senator Moore, a joint petition

Grafton,—

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(subject to Joint Rule 12) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land at the former Grafton State Hospital to the town of Grafton.

land.

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

Papers from the Senate.

The engrossed Bill relative to the Garden of Peace (see Senate, No. 2372), came from the Senate with the endorsement that it had which had been returned to said branch by His Excellency the Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendment (for message, see Senate, No. 2480).

Garden
of Peace.

The bill bore the further endorsement that the Senate had adopted said amendment (in the form approved by the Senate committee on Bills in the Third Reading) as follows:

In line 5 by striking out the words “the existing balance held by” and inserting in place thereof the words “any monies authorized by a court to be transferred to the fund from”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (House, No. 4354, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 4 inserting after the name “Parmenter” the words “to care for her child”.

Sara
Parmenter,—
sick leave.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Proclaiming May as aviation awareness month (Senate, No. 1717) (on a petition); and

Aviation
awareness.

Requiring the flag of the Commonwealth to be flown at half-staff on state buildings and installations on September 11 of each year (Senate, No. 1820) (on a petition);

State Flag,—
half-staff.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2507) of Anne M. Gobi and Todd M. Smola (by vote of the town) for legislation to authorize the town of Sturbridge to issue one additional license for the sale of all-alcoholic beverages not to be drunk on the premises at 122 Main Street, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Sturbridge,—
liquor
license.

A petition of Julian Cyr for legislation relative to elder protection, came from the Senate with the endorsement that it had been referred, under suspension of Joint Rule 12, to the committee on Health Care Financing.

Elder
protection.

The House then concurred with the Senate in the suspension of said rule; and, on motion of Ms. Gregoire of Marlborough, the petition (accompanied by bill, Senate, No. 2513) was referred, in non-concurrence, to the committee on Elder

Affairs. Sent to the Senate its action.

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 to protect youth from the health risks of tobacco and nicotine addiction (House, No. 4109), ought to be adopted (for order, see House, No. 4471). The order was considered forthwith; and it was adopted.

Tobacco risks,—
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 joint petition 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. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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.

Barbara Harrington,—
sick leave.

Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4185) of John H. Rogers and Michael F. Rush (by vote of the town) that the town of Norwood be authorized to grant up to five additional licenses for the sale of alcoholic beverages to be drunk on the premises in said town.

Norwood,—
liquor licenses.

Under suspension of the rules, on a motion of Mr. Chan of Quincy, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

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:

Authorizing the city of Somerville to offer an exemption for certain owner occupied residential properties for water and sewer charges and rates (House, No. 4309) [Local Approval Received];

Somerville,—
exemption.

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, of the committee on Consumer Protection and Professional Licensure, dissenting];

Dedham,—
liquor license.

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 Received];

Id.

Authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (House, No. 4429) [Local Approval Received];

Tyngsborough,—
liquor license.

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]; and

Id.

Designating the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley (House, No. 4435);

Quincy,—
maritime center.

Under suspension of Rule 7A, in each instance, on motion of Mr. Walsh of

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Peabody, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Garlick of Needham, for the committee on Mental Health, Substance Use and Recovery, on Senate, Nos. 1007, 1092, 1099, 1100, 1101 and 1114 and House, Nos. 1066, 2391, 2396, 2404, 3206, 3511, 3594, 4033, 4337, 4363 and 4380, a Bill for prevention and access to appropriate care and treatment of addiction (House, No. 4470). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Addiction,—
treatment and
care.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on House No. 3632, a Bill relative to the conveyance of a certain parcel of land in the city of Lowell (House, No. 4440).

Lowell,—
land.

By the same member, for the same committee, on House, No. 4093, a Bill to ensure compliance with federal standards regarding the handling of federal tax information (House, No. 4441).

Federal
taxes.

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

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

- Relative to updating the used car law (House, No. 207);
 - Relative to tobacco premium ratings (House, No. 521);
 - Relative to homeowners insurance (House, No. 534);
 - Relative to elevator inspections (House, No. 1232);
 - Relative to non-resident firearm licensing (House, No. 1265);
 - Relative to unloaded rifles or shotguns (House, No. 1287);
 - Promoting police and youth partnership (House, No. 1293);
 - Relative to dangerous weapons (House, No. 1297);
 - Relative to fire safety (House, No. 1306);
 - Relative to energy efficiency (House, No. 1724, changed);
 - To add a compulsory death benefit to automobile liability insurance (House, No. 2195);
 - Relative to interstate branching of a credit union and the Massachusetts Credit Union Share Insurance Corporation (House, No. 3690); and
 - Relative to hydro (House, No. 4304);
- Severally placed in the Orders of the Day for the next sitting for a second reading.

Used car law.
Tobacco ratings.
Insurance.
Elevators.
Firearms licensing.
Unloaded rifles.
Partnership.
Weapons.
Fire safety.
Energy efficiency.
Death
benefit.
Credit
unions.
Hydro.

Emergency Measure.

The engrossed Bill establishing the Nickerson State Park Trust Fund (see House, No. 3820, amended), 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.

Nickerson
State Park.

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 5 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency

Bill
re-enacted.

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preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

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) (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.

The engrossed Bill relative to savings bank life insurance (see House, No. 3894, amended) (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.

Id.

Orders of the Day.

The House Bill establishing a sick leave bank for Paula Donahue, an employee of the Department of Public Health (House, No. 4450), 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.

Paula
Donahue,—
sick leave.

The House Bill relative to the recall of elected officials in the town of Carlisle (House, No. 3699), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Carlisle,—
recall
elections.

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. 4476), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill designating the boardwalk at Heritage State Park in the city of Fall River as the Robert Correia Boardwalk (House, No. 4166) (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.

Fall River,—
Correia
boardwalk.

On 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 designate forthwith a certain boardwalk in the Heritage state park in the city of Fall River, 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. 4166, amended) was passed to be engrossed. Sent to the Senate for concurrence.

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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.

Representative Hunt of Boston then moved that when the House adjourns today, it do so in respect to the memory of Gerald J. Morrissey, a member of the House from Boston from 1963 to 1968, inclusive; and the motion prevailed.

Accordingly, at twenty-five minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. O'Day of West Boylston being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.