

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 14, 2018.

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Met according to adjournment at one o'clock P.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 Creativity, whose work is so beautifully displayed throughout our Commonwealth, we give You thanks for the natural beauty of our small state.

We give thanks too for the work of our legislators and their staff. Bless them and all who work in various capacities throughout this historic edifice.

We also give thanks today for the 8th most populous city in Massachusetts. The city of Lynn was incorporated on this date in 1850. Lynn was a center of tannery and shoe-making for the Massachusetts Bay Colony. The boots worn by the Continental Army soldiers during the Revolutionary War were made in Lynn. This legacy is reflected in the city's seal, which features a colonial boot.

In 1841, the abolitionist Frederick Douglas moved to Lynn as a fugitive slave. Douglas, his wife, and their five children lived in Lynn until 1848.

When General Electric was formed in 1892, Lynn was one of the two original GE plants. The design and production of jet engines continues there.

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.

Prayer.

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. Hill of Ipswich) congratulating Maggie Chiffer of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Jenny Conant of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Melissa Driver of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Olivia Inman of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Lindsay Porter of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Kajsa Wingerup of the town of Topsfield on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Representatives DiZoglio of Methuen and Campbell of Methuen) recognizing Phil Lahey on his retirement from the Merrimack Valley Prevention and Substance Abuse Program;

Maggie
Chiffer.

Jenny
Conant.

Melissa
Driver.

Olivia
Inman.

Lindsay
Porter.

Kajsa
Wingerup.

Phil
Lahey.

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Resolutions (filed by Mr. Dooley of Norfolk) congratulating Ann Smith, RN, CDDN, on the occasion of her thirty five years of dedicated service to individuals with special needs and their families; and

Ann
Smith.

Resolutions (filed by Mr. Goldstein-Rose of Amherst) congratulating the Amherst Woman's Club on its one hundred and twenty-fifth anniversary;

Amherst
Woman's Club.

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. Wong of Saugus, 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 Miss Gregoire of Marlborough) 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 Elder Affairs be granted until Wednesday, June 13, 2018 within which time to make its final report on current Senate documents numbered 336, 345, 352 and 358, and House documents numbered 350, 2072, 2885 and 2890.

Elder Affairs
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4485), ought to be adopted. Under suspension of the rules, on motion of Miss Gregoire of Marlborough, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Michlewitz of Boston) 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 Financial Services be granted until Wednesday, June 13, 2018 within which time to make its final report on current Senate documents numbered 545 and 587, and House documents numbered 482, 509, 535, 2159, 2966, 3543 and 4137.

Financial Services
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4487), ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Hogan of Stow) 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 Public Health be granted until Friday, July 13, 2018 within which time to make its final report on current House documents numbered 1143, 1151, 1189, 1205, 1245, 2442, 3226, 3240, 3514 and 3597.

Public Health
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4480), ought to be adopted. Under suspension of the rules, on motion of Ms. Hogan of Stow, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Wagner of Chicopee) 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

Economic
Development

on Economic Development and Emerging Technologies be granted until Friday, June 15, 2018 within which time to make its final report on current Senate documents numbered 175, 182, 185 and 2273, and House document numbered 4297.

and Emerging Technologies committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4415), ought to be adopted. Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the order was considered forthwith.

Pending the question on adoption of the order, Mr. Jones of North Reading moved to amend it in line 2 by striking out the date: “Friday, June 15” and inserting in place thereof the date: “Thursday, May 31”; and the amendment was adopted.

The order (House, No. 4415, amended) then also was adopted. Sent to the Senate for concurrence.

Petitions.

Representative D’Emilia of Bridgewater and Senator Pacheco presented a joint petition (accompanied by bill, House, No. 4500) of Angelo L. D’Emilia and Marc R. Pacheco (by vote of the town council) relative to amending the charter of the city known as the town of Bridgewater; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Bridgewater,— city charter.

Petitions severally were presented and referred as follows:

By Mr. Garballey of Arlington, a petition (subject to Joint Rule 12) of Sean Garballey relative to the retirement classification of certain employees of the Trial Court.

Employee classification.

By Mr. Golden of Lowell, a petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., and others that the commissioner of Capital Asset Management and Maintenance be authorized to transfer certain parcels of land in the town of Chelmsford.

Chelmsford,— land.

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

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until June 15, 2018, within which time to make its final report on current Senate document numbered 2410, relative to extending a bill relative to honoring Rosa Parks.

Transportation committee,— extension of time for reporting.

Under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the order (Senate, No. 2518) was considered forthwith; and it was adopted, in concurrence.

A Bill modernizing the foundation budget for the 21st century (Senate, No. 2525) (on Senate bill No. 2506, amended), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Education,— financing.

Bills

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Requiring the inclusion of individuals who identify as gay, lesbian, bisexual, questioning or queer and as transgender on the advisory board to the Massachusetts Commission Against Discrimination (Senate, No. 1715) (on a petition);

Commission
Against
Discrimination.

Creating the title of musician laureate of the Commonwealth (Senate, No. 2225) (on a petition); and

Musician
laureate.

Observing United States Navy birthday day (Senate, No. 2519) (on Senate No. 1766);

United States
Navy birthday.

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.

The following notice was received from the Clerk of the Senate, to wit:—

May 14, 2018.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Harriette L. Chandler, President of the Senate, has announced the following appointments for Senator Nick Collins that were ratified by the Majority Party:

Committee
appointments.

- Joint Committee on Export Development, Chair
- Joint Committee on Consumer Protection and Professional Licensure, Vice Chair
- Senate Committee on Bonding, Capital Expenditures and State Assets, Vice Chair
- Senate Committee on Post Audit and Oversight, member
- Joint Committee on Children, Families and Persons with Disabilities, member
- Joint Committee on Public Health, member; and
- Joint Committee on Transportation, member.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

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 providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432), ought to be adopted (for order, see House, No. 4496). The order was considered forthwith; and it was adopted.

Life
sciences,—
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 following petitions:

Petition (accompanied by bill) of Todd M. Smola and Anne M. Gobi for

Sandra
Elizabeth Smith,—

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legislation to establish a sick leave bank for Sandra Elizabeth Smith, an employee of the Department of Developmental Services. To the committee on Public Service.

Petition (accompanied by bill) 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. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 77 and 3042, a Bill relative to mandated reporter reform (House, No. 4491).

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on a petition, a Bill regarding spouses as caregivers (House, No. 336).

By the same member, for the same committee, on a petition, a Bill requiring automated external defibrillators in assisted living residences (House, No. 347).

By the same member, for the same committee, on a petition, a Bill relative to promoting innovation in eldercare services (House, No. 2076).

By the same member, for the same committee, on House, No. 339, a Bill relative to mandatory reporting of elder abuse (House, No. 4494).

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 2947, a Bill to increase consumer transparency about insurance provider networks (House, No. 4493).

By the Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to the dispensing of prescription drugs (House, No. 1139).

By the same member, for the same committee, on a petition, a Bill to promote patient care transparency and nurse advancement (House, No. 1186).

By the same member, for the same committee, on a petition, a Bill relative to dentistry licensure examinations (House, No. 1226).

By the same member, for the same committee, on a petition, a Bill relative to electronic prescribing of opiates and other controlled substances (House, No. 2453).

By the same member, for the same committee, on a petition, a Bill relative to the public health benefits of expanding access to drinking water in public places (House, No. 2461).

By the same member, for the same committee, on a petition, a Bill relative to nuclear power plant protections (House, No. 2472).

By the same member, for the same committee, on a petition, a Bill requiring disclosure of solvents used in dry cleaning (House, No. 2478).

By the same member, for the same committee, on a petition, a Bill to promote public health through the Prevention and Wellness Trust Fund (House, No. 2480).

By the same member, for the same committee, on a petition, a Bill to improve access to family physicians (House, No. 3241).

By the same member, for the same committee, on House, No. 1161, a Bill relative to patient access to information regarding breast reconstructive surgery (House, No. 4490).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Khan of Newton, for the committee on Children, Families and Persons

sick leave.

Grafton,—
land.

Mandated
reporters.

Spouses,—
caregivers.

Assisted living,—
AEDs.

Community
based residences.

Elder abuse,—
reporting.

Insurance
provider
networks.

Prescription
drugs.

Hospitals,—
staffing.

Dentistry,—
licensure.

Electronic
prescriptions.

Drinking
water.

Nuclear
power plants.

Dry cleaners,—
chemicals.

Prevention
and wellness.

Family
physicians.

Breast
reconstructive
surgery.

Foster

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with Disabilities, on House, Nos. 104 and 1955, a Bill [sic] foster parents bill of rights (House, No. 4492).

parents,—
rights.

By Ms. Gregoire of Marlborough, for the committee on Elder Affairs, on House, No. 2078, a Bill establishing a special commission to study the feasibility of a senior center building authority (House, No. 4495).

Senior
centers.

Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to improve permanency and placement stability (House, No. 783).

Child custody
placement.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, No. 3135, a Bill protecting wages of employees who receive wages through an electronic wage card (House, No. 4218).

Electronic
wage cards.

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the state property zoning exemption (House, No. 3628).

State
property,—
zoning.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474).

Maria
Benitez,—
sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (House, No. 4484).

Barbara
Harrington,—
sick leave.

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

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:

Relative to special regulations for vehicle specific checkpoints (House, No. 2731); and

Vehicles,—
checkpoints.

Relative to non discrimination [sic] training in the workplace (House, No. 4386);

Non-discrimination
training.

Severally placed in the Orders of the Day for the next sitting for a second reading.

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:

Designating the last day of February as rare disease day in the Commonwealth (House, No. 1650);

Rare disease
day.

Creating the official shellfish of the Commonwealth (House, No. 1654);

Shellfish.

Regarding Huntington's Disease awareness month (House, No. 1655);

Huntington's.

Relative to sleep deprivation avoidance and promotion of good sleeping practice (House, No. 1700);

Sleep
practices.

Designating the Boston Cream Pie Cupcake as the official cupcake of the Commonwealth (House, No. 1701);

Official
cupcake.

Designating shaken baby syndrome awareness week (House, No. 1713);

Shaken babies.

Establishing school bus driver day (House, No. 1714);
Designating the song “14 Counties of Massachusetts” as the official county song of the Commonwealth (House, No. 1717);
Supporting working parents who choose to run for public office (House, No. 2898) [Mr. Lombard of Billerica, of the committee on Election Laws, dissenting];
Relative to the official butterfly of the commonwealth (House, No. 3364);
Establishing “Here’s to America” as the official patriotic song of the Commonwealth (House, No. 3368); and
Designating gingham as the official textile of Massachusetts (House, No. 3376);
Severally placed in the Orders of the Day for the next sitting for a second reading.

School bus drivers.
Official county song.
Working parents.
Official butterfly.
Patriotic song.
Gingham,— official textile.

Engrossed Bills.

Engrossed bills

Authorizing the town of Westport to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (see Senate, No. 2303) (which originated in the Senate); and
Relative to the annual observance of Massachusetts Women’s Defense Corps Remembrance Day (see House, No. 2658) (which 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.

Bills enacted.

Orders of the Day.

The engrossed Bill relative to the Garden of Peace (see Senate, No. 2372) (which had been returned to the Senate by His Excellency the Governor with recommendation of amendment) (for message, see Senate, No. 2480), was considered.

Garden of Peace.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by His Excellency be considered in the following form:

By striking out, in line 5, 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”; and the report was accepted.

The amendment then was adopted, in concurrence.

The Senate amendment of the House Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (House, No. 4354, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Sara Parmenter,— sick leave.

The Senate Bill authorizing the Brookfield Housing Authority to convey a certain parcel of land and the buildings thereon (Senate, No. 2146), 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, in concurrence.

Third reading bill.

The House Bill relative to death benefits to surviving spouses of call and volunteer firefighters (House, No. 1388), was read a second time; and it was ordered

Second reading bill.

to a third reading.

The House Bill establishing a solid waste and recycling capital improvement fund for the town of Dennis (House, No. 3898), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Dennis,—
recycling
fund.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Five per cent of fees collected from the sale of transfer station permits and 5 per cent of recycling revenue in the town of Dennis shall be deposited into the Solid Waste and Recycling Capital Improvement Fund; provided, however, that if authorized by by-law, the board of selectmen of the town of Dennis may increase or decrease the portion of the transfer station permits or recycling revenue deposited into the fund.”; and

In section 3, by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the board of selectmen of the town of Dennis not later than December 31 and the board of selectmen shall vote to accept the report.”

The amendments were adopted; and the bill (House, No. 3898, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a waterways capital improvement fund for the town of Dennis (House, No. 3899) (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.

Dennis,—
waterways
fund.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 3, by striking out the words “fifty per percent” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the words: “A portion”; and by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Fifty per cent of revenue collected from the boat storage fees in the town of Dennis shall be deposited into the Waterways Capital Improvement Fund; provided, however, that if authorized by by-law, the the board of selectmen of the town of Dennis may decrease the percentage of revenue collected from the boat storage fees deposited into the fund.”; and

In section 3, by adding the following sentence: “An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the board of selectmen of the town of Dennis not later than December 31 and the board of selectmen shall vote to accept the report.”

The amendments were adopted; and the bill (House, No. 3899, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Gloria Phillips, an employee of the Department of Industrial Accidents (House, No. 4336) (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.

Gloria Phillips,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in lines 7 and 8 by striking out the words “Division of

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Industrial Accidents paid” and inserting in place thereof the words “extended illness”.

The amendment was adopted; and the bill (House, No. 4336, amended) 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 Wednesday next at eleven o’clock A.M.

Next sitting.

At twenty-four minutes after one o’clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o’clock A.M.