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The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.

WEDNESDAY, MAY 16, 2018.

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Wednesday, May 16, 2018.

Met according to adjournment at eleven o'clock A.M., 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:

Prayer.

God of Beauty and Strength, we give thanks this day for this time of sunshine and fair weather following yesterday's strong thunderstorms throughout our state. We are grateful that the storm damage was limited in scope.

We remember that it was on this day in 1874 that the Mill River Dam collapsed. Sending a wall of water 30 feet high and 300 feet across, the flood wiped out mill villages in the towns of Williamsburg and Northampton killing 139 persons.

At the time of this disaster there was no precedent for the state government to provide direct relief to a city or town; residents in troubled towns usually received only a temporary abatement of taxes. But state legislators eventually granted $120,000 to rebuild bridges and roads.

An investigation later determined that the dam was poorly constructed by the owners of the mills in order to save money, but engineers, contractors, and the county commissioners who inspected the dam were also held partly responsible for its failure.

While no charges were ever filed, this man-made disaster did lead to improvements in public safety, however. The Massachusetts legislature imposed standards for the construction, maintenance, and inspection of dams. Because of this flood, engineering of large-scale public projects had to meet state mandates. We are grateful for this.

May God continue to bless our Commonwealth.

Pledge of allegiance.

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.

Statement Concerning Representative Roy of Franklin.

A statement of Mrs. Haddad of Somerset concerning Mr. Roy of Franklin was spread upon the records of the House, as follows:

Statement concerning Mr. Roy of Franklin.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Roy of Franklin, is unable to be present in the House Chamber for today's sitting due to personal business outside of the Commonwealth. His missing of roll calls today is due entirely to the reason stated.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Andrew Arenella on receiving the Eagle Award of the Boy Scouts of America; Andrew Arenella.

Resolutions (filed by Ms. Garlick of Needham) congratulating Edward 'Ted' Blake on receiving the Eagle Award of the Boy Scouts of America; Edward Blake.

Resolutions (filed by Ms. Garlick of Needham) congratulating Matthew Kettlewell on receiving the Eagle Award of the Boy Scouts of America; and Matthew Kettlewell.

Resolutions (filed by Ms. Garlick of Needham) congratulating William Patsios on receiving the Eagle Award of the Boy Scouts of America; William Patsios.

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. Garlick, 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 Mr. Dwyer of Woburn, a petition (subject to Joint Rule 12) of James J. Dwyer relative to the use of community preservation funding by local public housing authorities. Housing authorities.

By Mr. Tucker of Salem, a petition (subject to Joint Rule 12) of Paul Tucker that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Salem to the Salem Redevelopment Authority. Salem,— land.

By Mr. Vieira of Falmouth, a petition (subject to Joint Rule 12) of David T. Vieira and Viriato M. deMacedo relative to the terms of water commissioners in the Buzzards Bay Water District. Buzzards Bay Water District.

By Mr. Zlotnik of Gardner, a petition (subject to Joint Rule 12) of Jonathan D. Zlotnik and Dean A. Tran for legislation to establish a sick leave bank for Keri Volk, an employee of the Department of Correction. Keri Volk,— sick leave.

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

Paper from the Senate.

The Senate Bill establishing a sick leave bank for Melvin Maldonado, an employee of the Department of Mental Health (Senate, No. 2444) (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. Melvin Maldonado,— sick leave.

Reports of Committee.

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 creating the title of musician laureate of the Commonwealth (Senate, No. 2225); and Musician laureate.

House bills

Establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474); and Maria Benitez,— sick leave.

Establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (House, No. 4484); Barbara Harrington,— sick leave.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Sara Parmenter, an employee of the Department of Correction (see House, No. 4354, 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. Sara Parmenter,— sick leave.

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 3 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill authorizing the Brookfield Housing Authority to convey a certain parcel of land and the buildings thereon (see Senate, No. 2416) (which originated in the Senate), 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.

Recess.

At eleven minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at two minutes after one o'clock the House was called to order with the Speaker in the Chair. Recess.

Guests of the House.

During the session, the Speaker declared a brief recess, and introduced Dr. Jane Mansbridge, the Charles F. Adams Professor of Political Leadership and Democratic Values at the Harvard Kennedy School of Government. In April, Professor Mansbridge was announced as the 24th laureate of the Johan Skytte Prize in Political Science, the Prize-Equivalent to the Noble Prize in Political Science. Ms. Ferrante of Gloucester then took the Chair and presented a citation of the House, congratulating her on her achievement. Professor Mansbridge then addressed the House briefly. She was the guest of Representatives Peisch of Wellesley, Ehrlich of Marblehead, Honan of Boston, Benson of Lunenburg, Ferrante of Gloucester, Straus of Mattapoisett and Sánchez of Boston. Dr. Jane Mansbridge.

During the session, the Chair (Mr. Donato of Medford) introduced Ron Morin, Executive Director of the Friends of the Middlesex Fells Reservation, which recently celebrated its 25th anniversary. The Chair presented him previously adopted resolutions of the House commending the Friends on their important advocacy, preservation and community engagement activities over the last 25 years. He was Ron Morin.

the guest of Representatives Brodeur of Melrose, Donato of Medford, Day of Stoneham, Barber of Somerville, Ultrino of Malden and Garballey of Arlington.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

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:

Boston,— condominiums.

Petition (accompanied by bill) of Aaron Michlewitz relative to the uses of the land owned by the Commercial Wharf East Condominium and its condominium unit owners in the city of Boston under the tidelands law. To the committee on Environment, Natural Resources and Agriculture.

Dukes County,— wastewater facility.

Petition (accompanied by bill) 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. To the committee on Municipalities and Regional Government.

David Palazzo,— sick leave.

Joint petition (accompanied by bill) of Thomas A. Golden, Jr., and Joan B. Lovely for legislation to establish a sick leave bank for David Palazzo, an employee of the Department of Developmental Services. To the committee on Public Service.

Chelmsford,— land.

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

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

Life sciences,— bonding.

Prior to the noon recess, By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill providing continued investment in the life sciences industry in the Commonwealth (House, No. 4432), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4501) [Bond Issue: General Obligation Bonds: $462,970,000.00].

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4489),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4501), was ordered to a third reading.

Subsequently, the noon recess having terminated, 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.

After remarks on the question on passing the bill to be engrossed, Mr. Gordon of Bedford moved to amend it in section 2, in item 7002-0015, in line 12, by inserting after the word "development" the words ", including English as a Second Language training"; and the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 12, in line 143, by inserting after the word "surplus" the following: "for fiscal year 2018";

By striking out section 14; and

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 forthwith finance improvements to the Commonwealth's economic infrastructure and promote economic opportunity for the life sciences ecosystem, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.".

The amendments were adopted.

Bill passed to be engrossed,— yea and nay No. 349.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call 149 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 349 in Supplement.]

Therefore the bill (House, No. 4501, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Engrossed Bill – Land Taking.

Garden of Peace.

The engrossed Bill establishing a Garden of Peace trust fund (see Senate, No. 2372, amended) (which originated in the Senate) (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 put upon its final passage.

Bill re-enacted (land taking),— yea and nay No. 350

On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 350 in Supplement.]

Therefore the bill was passed to be re- enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Order.

Next sitting.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Ms. Gifford of Wareham then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-seven minutes before three o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.