

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JUNE 4, 2018.

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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 Equity and Fairness, we ask Your blessing upon the women and men who serve our Commonwealth in this chamber. Bless also the many who work throughout this historic building and maintain its beauty and daily operations.

Prayer.

We give thanks to You God for the town of Rehoboth in Bristol County which today celebrates its 1645 incorporation.

One of the larger towns by land area in Massachusetts, Rehoboth is Hebrew for enlargement.

Rehoboth played a big role during the King Philip's War with numerous battles, loss of life and the eventual capture and execution of Anawam, the chief Sachem after the death of King Philip, marking the end of the colonial war.

Upon incorporation, members of Rehoboth elected to collect funds to pay a teacher for the settlement's children, thus laying its claim as the birthplace for public education.

We pray for 4th Bristol Representative Steven Howitt and his staff.

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.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to protecting the rights of custodial and other non-teaching employees of school districts [see House, No. 1390] (for message, see House, No. 4556), was filed in the office of the Clerk on Thursday, May 31.

School employees.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Resolutions.

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

Resolutions (filed by Representatives Cassidy of Brockton, Cronin of Easton and DuBois of Brockton) recognizing June 15, 2018 as the World Elder Abuse Awareness Day;

Elder Abuse
Awareness
Day.

Resolutions (filed by Mr. Linsky of Natick) congratulating Amanda Grace Dye on receiving the Gold Award of the Girl Scouts of the United States of America;

Amanda
Dye.

Resolutions (filed by Mr. Linsky of Natick) congratulating Jessica Lynch on receiving the Gold Award of the Girl Scouts of the United States of America;

Jessica
Lynch.

Resolutions (filed by Messrs. Parisella of Beverly and Tucker of Salem) congratulating Dr. Steven D. Immerman on his retirement as President of Montserrat College of Art;

Steven
Immerman.

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

Georgia
Harper.

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

Susanna
Mirick.

Resolutions (filed by Mr. Rogers of Norwood) congratulating Michael Richard Kirkland of Norwood Boy Scout Troop 49 on earning the Eagle Scout Award; and

Michael
Kirkland.

Resolutions (filed by Mr. Whelan of Brewster) congratulating Rob and Meryl Gartside for their many years of friendship and service to the Brewster Council on Aging;

Rob and
Meryl
Gartside.

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. Tucker of Salem, 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. Arciero of Westford, a petition (accompanied by bill, House, No. 4559) of James Arciero (by vote of the town) that the town of Westford be authorized to establish a real property exemption for certain disabled persons; and

Westford,—
property tax
exemption.

By Mr. Moran of Lawrence, a petition (accompanied by bill, House, No. 4560) of Frank A. Moran (by vote of the town) that the town of Andover be authorized to establish a means tested senior citizen property tax exemption in said town;

Andover,—
property tax
exemption.

Severally to the committee on Revenue.

Severally sent to the Senate for concurrence.

Ms. Campanale of Leicester presented a petition (subject to Joint Rule 12) of Kate D. Campanale and Geoff Diehl for adoption of resolutions by the General Court requesting the Governor (with the consent of the Council) to remove Thomas H. Estes Jr., from the office of the District Court of Eastern Hampshire County; and the same was referred, under Rule 24, to the committee on Rules.

Judgeship,—
removal.

Papers from the Senate.

The House Bill 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

General
Appropriation
Bill.

requirements and for certain permanent improvements (House, No. 4401), 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 2530.

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. Representatives 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 appointed the committee on the part of the Senate.

Id.

A petition (accompanied by bill, Senate, No. 2532) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to create senior tax relief in the town of Carver, was referred, in concurrence, to the committee on Revenue.

Carver,— senior tax relief.

A petition (accompanied by bill) of Walter F. Timilty for legislation to establish a sick leave bank for James Lovett, an employee of the Department of Conservation and Recreation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

James Lovett,— sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2539) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Sánchez of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 4045), recommending passage of a bill with the same title (House, No. 4549) [Bond Issue: \$3,872,849,575.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Capital improvements.

Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

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 Shawn Dooley relative to the definition of consistent with local needs under the affordable housing law. To the committee on Housing.

Affordable housing.

Petition (accompanied by bill) of Kimberly N. Ferguson, Jonathan D. Zlotnik and Stephan Hay that the commissioner of Capital Asset Management and Maintenance, in consultation with the Department of Conservation and Recreation,

Westminster,— land.

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be authorized to convey to the town of Westminster a certain parcel of land located within the Leominster State Forest. To the committee on State Administration and Regulatory Oversight.

Joint petition (accompanied by bill) of Kenneth I. Gordon and Cindy F. Friedman for legislation to designate a certain bridge in the town of Burlington as the Lance Corporal Gregory E. MacDonald memorial bridge. To the committee on Transportation.

Burlington,—
MacDonald
bridge.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the towns of Andover and North Reading to enter into an agreement for the supply of potable water (House, No. 4552) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Andover
and North
Reading,—
water.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Jones of North Reading, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the 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 Senate bills be scheduled for consideration by the House:

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

Aviation.

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);

State property,—
flags.

Under suspension of Rule 7A, in each instance, on motion of Mr. Walsh of 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 House, Nos. 1063, 1069, 1072, 1073, 1074, 2269, 2389, 2390, 2393, 2398, 2399, 2406, 2409, 2410, 2411, 2413, 3203, 3509 and 3510, an Order relative to authorizing the committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain House documents concerning mental health, substance use and recovery (House, No. 4557). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mental Health,
Substance Use and
Recovery,—
study.

Mr. Galvin of Canton, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill promoting climate change adaptation,

Environmental
bonds.

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environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4558) [Bond Issue: General Obligation Bonds: \$1,811,879,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Mr. Galvin of Canton, for the committee on Rules, on the Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning financing and delivery of health care in the Commonwealth (House, No. 4528) reported, in part, a Bill relative to nurse licensure compact in Massachusetts (House, No. 1188). Read; and referred, under Rule 33, to the committee on Ways and Means.

Nurse licensure compact.

By Mr. Parisella of Beverly, for the committee on Public Service, on Senate, No. 2074, Appendix A, a Bill relative to pension forfeiture (House, No. 4555).

Pension forfeiture.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 4468, a Bill establishing a federal transit funding maximization fund (House, No. 4564).

Transit funding.

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

Orders of the Day.

House bills

Authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels to the town of Shrewsbury (House, No. 4312); and

Third reading bills.

Establishing a sick leave bank for David Palazzo, an employee of the Department of Developmental Services (House, No. 4508);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill authorizing the town of Falmouth to transfer a parcel of land commonly known as the Farley Bog (House, No. 4341), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Falmouth,—land.

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. 4561), 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 increasing the annual compensation of the Peabody Municipal Light Plant commissioners (House, No. 4447), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Peabody,—light commissioners.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by adding the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4447, amended) was

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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 before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.