

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**MONDAY, JULY 16, 2018.**

[77]

# JOURNAL OF THE HOUSE.

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Monday, January 5, 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).

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.*

A message from His Excellency the Governor recommending legislation relative to making appropriations for fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4758), was filed in the office of the Clerk on Friday, July 13.

Supplemental  
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

### *Orders.*

The following order (filed by Mr. Roy of Franklin) 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 Health Care Financing be granted until Tuesday, July 31, 2018 within which time to make its final report on a current House document numbered 4623.

Health Care  
Financing,—  
extension  
of time for  
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4761), ought to be adopted. Under suspension of the rules, on motion of Mr. Roy, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Benson of Lunenburg) 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 State Administration and Regulatory Oversight be granted until Tuesday, July 31, 2018 within which time to make its final report on a current House document numbered 4615.

State  
Administration  
and Regulatory  
Oversight,—  
extension  
of time for  
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4762), ought to be adopted. Under suspension of the rules, on motion of Ms. Benson, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

### *Petitions.*

Petitions severally were presented and referred as follows:

**UNCORRECTED PROOF.**

By Representative Berthiaume of Spencer and Senator Gobi, a joint petition (accompanied by bill, House, No. 4763) of Donald R. Berthiaume, Jr., and Anne M. Gobi (by vote of the town) relative to the health insurance and other benefits in the town of East Brookfield; and

East  
Brookfield,—  
benefits.

By Representative Kuros of Uxbridge and Senator Fattman, a joint petition (accompanied by bill, House, No. 4764) of Kevin J. Kuros and Ryan C. Fattman (by vote of the town) that the town of Blackstone be authorized to continue the employment of fire chief Michael Sweeney;

Blackstone,—  
Michael  
Sweeney.

Severally to the committee on Public Service.

By Representative Smizik of Brookline and Senator Creem, a joint petition (accompanied by bill, House, No. 4765) of Frank I. Smizik and Cynthia Stone Creem (by vote of the town) that the town of Brookline be authorized to raise the income threshold for senior real property tax deferrals in said town. To the committee on Revenue.

Brookline,—  
senior property  
tax deferral.

Severally sent to the Senate for concurrence.

*Papers from the Senate.*

The House Bill relative to findings of the foundation budget review commission (House, No. 4741), 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 2600.

Foundation  
budget.

Under suspension of the rules, on motion of Ms. Peisch of Wellesley, 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 Peisch, Cronin of Easton and Ferguson of Holden 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 Chang-Diaz, DiDomenico and O'Connor had been joined as the committee on the part of the Senate.

Id.

A Bill relative to the Massachusetts teacher retirement system (Senate, No. 2592) (on Senate bill No. 2209); and

Teachers,—  
retirement.

A Resolve creating a commission on remediating lead in drinking water of schools and early childhood centers (Senate, No. 2595) (on Senate bill No. 2465);

Schools,—  
lead.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

**Bills**

To protect rental car customers (Senate, No. 98) (on a petition);

Rental cars.

Relative to civil service resident preference (Senate, No. 1389) (on a petition);

Civil service,—  
preference.

and

Eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 2594) (on Senate bill No. 50);

Individuals with  
disabilities.

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 report of the committee on Health Care Financing, asking to be discharged

Home care,—

from further consideration of the Senate Bill relative to home care workforce initiatives (Senate, No. 2558), and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

workforce  
initiatives.

*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 Stephen Kulik and others for legislation to further regulate the exchange of certain parcels of land between the city of Northampton and the Division of Capital Asset Management and Maintenance; and

Northampton,—  
land.

Petition (accompanied by bill) of Michael J. Moran and Kevin G. Honan for legislation to authorize the commissioner of Capital Asset Management and Maintenance to grant an easement at the Chestnut Hill Reservation located in the Brighton section of the city of Boston;

Boston,—  
land.

Severally to the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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 following House bills be scheduled for consideration by the House:

Authorizing Commercial Wharf East Condominium Association under the Tidelands Public Trust Doctrine and preventing residents from being forced to leave (House, No. 4505);

Boston,—  
condominiums.

Changing the name of the board of selectmen of the town of North Reading (House, No. 4690) [Local Approval Received]; and

North Reading,—  
selectmen.

Amending the membership of the representative town meeting of Norwood (House, No. 4718) [Local Approval Received];

Norwood,—  
town meeting.

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

Report of the committee on Housing, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4580) of Christine P. Barber (with the approval of the mayor and city council) relative to reconstruction of the state funded Clarendon Hill Public Housing Project by the Somerville Housing Authority in the city of Somerville.

Somerville,—  
public  
housing.

Under suspension of the rules, on a motion of Mr. Honan of Boston, 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. Honan of Boston, for the committee on Housing, on House, Nos. 656, 661, 674, 679, 692, 696, 3007, 3011, 3014 and 3701, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning public housing (House, No. 4754) [Representative

Public  
housing,—  
study.

Diehl of Whitman dissenting].

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 1739, 1746, 1748, 1751, 2700, 2706, 2709, 3396, 3634, 4149, 4151 and 4222, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning telecommunications, utilities and energy (House, No. 4684).

Telecommunications, utilities and energy,— study.

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

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

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4674, a Bill releasing certain land in Northfield from the operation of an agricultural covenant (House, No. 4757).

Northfield,— land.

By the same member, for the same committee, on House, No. 4673, a Bill relative to the release of certain land in Rowley from operation of an agricultural covenant (House, No. 4759).

Rowley,— land.

By Ms. Benson of Lunenburg, for the committee on State Administration, on House, No. 4626, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement to the town of New Salem (House, No. 4760).

New Salem,— land.

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

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill repealing the act establishing the Nantucket Mosquito Control Project (House, No. 4644) [Local Approval Received].

Nantucket Mosquito Control Project.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for cemetery purposes (House, No. 4717) [Local Approval Received].

Nantucket,— land.

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

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill relative to net metering (House, No. 4577), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Net metering.

*Orders of the Day.*

House bills

Authorizing the city of Beverly to continue the employment of Paul Cotter as fire chief (House, No. 4488) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

**UNCORRECTED PROOF.**

Further regulating the Buzzards Bay Water District (House, No. 4523) (its title having been changed by the committee on Bills in the Third Reading); and

Directing the City of Boston Police Department to waive the maximum age requirement for police officers for Hugh Trong Ngo (House, No. 4608);

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.

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The House Bill authorizing the town of Otis to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4622) (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.

Otis,—  
liquor  
license.

Pending the question on passing the bill to be engrossed, the Mr. Speliotis of Danvers moved to amend it in section 1, in line 12, by inserting after the word “no” the words “longer in use at the location of original issuance.”

The amendment was adopted; and the bill (House, No. 4622, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Recess.*

At thirteen minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at four minutes after two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

*Paper from the Senate.*

The House Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 4671), came from the Senate passed to be engrossed, in concurrence, with amendments in section 3, in line 14, inserting after the word “resides” the words “; provided, however, that an automatic voter registration agency that collects and transmits applicant data electronically shall ensure that the applicant data is transmitted to the state secretary, who shall transmit such information to the board of registrars or election commission of the city or town where the applicant resides” and

Automatic  
voter registration.

In line 16 inserting after the word “transmission” the words “, the frequency and nature of such transmissions”;

In section 4, in lines 29 and 30, striking out the words “location where eligible citizens may register as voters, provided they are state agencies” and inserting in place thereof the words “state agency where an eligible citizen may register as a voter”;

In lines 37 and 38 striking out the sentence contained in those lines and inserting in place thereof the following sentence: “The state secretary shall enter into memoranda of understanding with the registry of motor vehicles and with the division of medical assistance and commonwealth health insurance connector authority who shall serve as automatic voter registration agencies; provided, however, that the terms of such memoranda shall include, without limitation, the timeline for the establishment or enhancement of interfaces and the schedule for

data to be shared between the secretary's office and the automatic voter registration agencies; provided further, that only information obtained by the registry of motor vehicles from driver's license transactions and identification card transactions shall be used for automatic voter registration purposes.”,

In line 60 striking out the sentence contained in those lines and inserting in place thereof the following paragraph:

“(c) An agency that has entered into a memorandum of understanding to become an automatic voter registration agency shall: (i) conduct automatic voter registration, as specified by subsections (d) to (g), inclusive; (ii) work with the state secretary to implement this chapter and meet the goals of automatic voter registration enumerated in section 65; and (iii) provide notice to each applicant: (A) explaining that the agency application shall serve as an attestation to eligibility and an application to register to vote unless the person declines to be registered; (B) informing the applicant of the eligibility requirements to register to vote; and (C) advising the applicant that non-citizens are ineligible to register, and that the agency must decline to register an applicant unless the applicant is a United States citizen and is otherwise eligible to register to vote.”,

In line 65 striking out the word “Each” and inserting in place thereof the words “In accordance with the memorandum of understanding required by subsection (b), each”,

In line 68 inserting after the figures: “65” the following: “; provided, however, that an applicant who meets the qualifications to register to vote, does not decline to register to vote and completes a qualifying transaction with an automatic voter registration agency not less than 21 days prior to an election shall be entitled to vote in that election”;

In lines 68 and 69 striking out the sentence contained in those lines;

In lines 75 to 84, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(e) For each applicant, an automatic voter registration agency shall transmit electronic records containing information on the applicant's legal name, age, residence, citizenship and the applicant's electronic signature to the state secretary who shall transmit the same to the board of registrars or election commission of the city or town in which the person resides in a manner prescribed by the state secretary. An automatic voter registration agency may consult with the registry of motor vehicles or other agencies to augment data to be transmitted in a manner prescribed by the state secretary. An automatic voter registration agency shall not transmit a record that contains: (i) a home address designated as confidential pursuant to section 8 of chapter 9A, or (ii) any record that does not clearly and consistently contain both the applicant's electronic signature and sworn or verified information for the applicant's: (A) legal name; (B) age; (C) residence; and (D) citizenship.”; and

In line 97 striking out the words “as the state secretary deems necessary or”;

In section 7, in line 119, striking out the following: “term ‘automatic voter registration agency’ shall have the meaning assigned to it in section 42G 1/2 of this chapter” and inserting in place thereof the following: “term ‘automatic voter registration’ shall have the meaning assigned to it in section 42G ½ and the term ‘Registrars’ or ‘registrars of voters’ shall have the meaning assigned to it in section 1 of chapter 50.”; and

In lines 127, 128 and 129 striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(v) determining the extent to which automatic voter registration materials



**UNCORRECTED PROOF.**

should be provided in languages other than English and Spanish, if necessary to comply with the National Voting Rights Act; and”;

Striking out section 10; and

Striking out section 12 and inserting in place thereof the following section:

“SECTION 12. Sections 2, 3, 4, 7 and 8 shall take effect on January 1, 2020.”.

Under suspension of the rules, on motion of Mr. Moran of Boston, 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. Moran of Boston, Mahoney of Worcester and Dooley of Norfolk 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 Creem, Gobi and Fattman had been joined as the committee on the part of the Senate.

Id.

*Engrossed Bills.*

Engrossed bills

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

Bills enacted.

Authorizing the Bristol County Commissioners to borrow money for the repair, renovation, construction, equipping and furnishing of facilities at Bristol County Agricultural School in the town of Dighton (see House, No. 4227); and

Authorizing the Minuteman Regional Vocational Technical School District to lease certain land and buildings (see House, No. 4503);

(Which severally 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.

*Recess.*

At eighteen minutes after two o'clock P.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at one minute after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

*Order.*

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.

Next sitting.

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At one minute after five o'clock P.M., on motion of Mrs. Ferguson of Holden (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.



**UNCORRECTED PROOF.**