

JOURNAL OF THE HOUSE.

Monday, July 17, 2017.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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 Creativity, we thank You for the many blessings You have given to us here in the Commonwealth of Massachusetts. As residents, we are grateful for our heritage of workmanship and innovation.

Today, we pay tribute to the official sailing vessel of Massachusetts, the Ernestina-Morrissey, one of the oldest sailing vessels still afloat. According to the National Park Service, the schooner was built in Essex in 1894 and was originally named the Effie M. Morrissey. She first served as a fishing vessel to catch cod, mackerel, and haddock on the Grand Banks. Then from 1926 to 1946 the Effie M. Morrissey sailed the Arctic Ocean for museums, zoos, and scientific researchers.

In 1948, the schooner was refitted in Cape Verde and renamed the Ernestina. Today, she enjoys fame as the last sailing ship used to carry immigrants across the Atlantic, bringing passengers and supplies from the Cape Verde Islands to America. In 1982, the newly independent nation of Cape Verde presented the Ernestina to the people of the United States in recognition of the ties between the two countries. Now owned by the Commonwealth, she was re-named the Ernestina-Morrissey and is currently undergoing renovations in dry dock in Maine until November of 2018. She will then return to her home port as part of the New Bedford Whaling National Historic Park.

May God continue to bless our Commonwealth.

Pledge of allegiance. At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resignation as Chairman of the House Committee on Ways and Means.

A communication from Representative Brian S. Dempsey of Haverhill was spread upon the records of the House, as follows:

July 17, 2017.

Mr. Steven James
Clerk of the Massachusetts House of Representatives
State House, Room 145
Boston, MA 02133

Dear Mr. Clerk,

Representative Dempsey of Haverhill.—communication. I am writing to resign from my position as Chairman of the House Committee on Ways and Means, effective at 9:00 A.M. today July 17, 2017.

Thank you in advance for your assistance in carrying out this wish and ensuring that this letter is on file with the House of Representatives and the Treasurer of the Commonwealth.

Sincerely,

BRIAN S. DEMPSEY,
3rd Essex District.

Changes in House Standing Committees.

The Speaker announced changes in the House standing committees on Ways and Means, Bills in the Third Reading, Personnel and Administration, and Post Audit and Oversight.

Changes in House standing committees.

The membership of said committees are as follows:

Ways and Means.

There being no objection.—Representatives:

- | | |
|------------------------------|-------------------------|
| Sánchez of Boston | Hunt of Boston |
| Kulik of Worthington | Vincent of Revere |
| Malia of Boston | Carvalho of Boston |
| Miceli of Wilmington | Gentile of Sudbury |
| Walsh of Peabody | González of Springfield |
| Koczera of New Bedford | McGonagle of Everett |
| Stanley of Waltham | Mom of Lowell |
| Garballey of Arlington | Tucker of Salem |
| Arciero of Westford | Madaro of Boston |
| Ashe of Longmeadow | Cassidy of Brockton |
| Farley-Bouvier of Pittsfield | Smola of Warren |
| Holmes of Boston | D'Emilia of Bridgewater |
| Cutler of Duxbury | Berthiaume of Spencer |
| Keefe of Worcester | Boldyga of Southwick |
| Rogers of Cambridge | Campanale of Leicester |
| Silvia of Fall River | Dooley of Norfolk |
| Cullinane of Boston | Whelan of Brewster |
| Fiola of Fall River | Wong of Saugus. |

Bills in the Third Reading.

Representatives:

- | | |
|----------------------|--------------------------|
| Speliotis of Danvers | D'Emilia of Bridgewater. |
| Fiola of Fall River | |

Personnel and Administration.

Representatives:

- | | |
|---------------------------|-------------------------|
| McMurtry of Dedham | Garry of Dracut |
| Day of Stoneham | Nangle of Lowell |
| Goldstein-Rose of Amherst | Lyons of Andover |
| Matias of Lawrence | D'Emilia of Bridgewater |
| Miceli of Wilmington | Ferguson of Holden |
| Kafka of Stoughton | Harrington of Groton. |
| Rogers of Norwood | |

Changes in House standing committees.

Post Audit and Oversight.

- Representatives:
- | | |
|--------------------------|-----------------------|
| Linsky of Natick | Day of Stoneham |
| Rogers of Cambridge | Ryan of Boston |
| Stanley of Waltham | Meschino of Hull |
| Campbell of Methuen | Durant of Spencer |
| Livingstone of Boston | O'Connell of Taunton. |
| Finn of West Springfield | |

Changes in Joint Standing Committees.

Changes in joint standing committees.

The Speaker announced changes in the joint standing committees on Consumer Protection and Professional Licensure, Environment, Natural Resources and Agricultural, Health Care Financing, Housing, Marijuana Policy, State Administration and Regulatory Oversight, and Telecommunications, Utilities and Energy.

The membership of said committees are as follows:

Consumer Protection and Professional Licensure.

- Representatives:
- | | |
|---------------------|-----------------------|
| Chan of Quincy | Livingstone of Boston |
| Hunt of Boston | Zlotnik of Gardner |
| Balser of Newton | Tosado of Springfield |
| Arciero of Westford | Matias of Lawrence |
| Pignatelli of Lenox | Howitt of Seekonk |
| | McKenna of Webster. |

Environment, Natural Resources and Agriculture.

- Representatives:
- | | |
|------------------------|------------------------|
| Pignatelli of Lenox | Barber of Somerville |
| Vincent of Revere | Fernandes of Falmouth |
| Petrolati of Ludlow | Lewis of Framingham |
| Koczera of New Bedford | Berthiaume of Spencer |
| Keefe of Worcester | Kelcourse of Amesbury. |
| Velis of Westfield | |

Health Care Financing.

- Representatives:
- | | |
|------------------------|------------------------|
| Kocot of Northampton | Donahue of Worcester |
| Velis of Westfield | Gentile of Sudbury |
| Roy of Franklin | Ultrino of Malden |
| Cantwell of Marshfield | Hunt of Sandwich |
| Dykema of Holliston | Muratore of Plymouth |
| Chan of Quincy | Mirra of West Newbury. |
| Cullinane of Boston | |

Housing.

- Representatives:
- | | |
|------------------------|---------------------------|
| Honan of Boston | Connolly of Cambridge |
| McGonagle of Everett | Goldstein-Rose of Amherst |
| Koczera of New Bedford | Tyler of Boston |
| Collins of Boston | Diehl of Whitman |
| Barber of Somerville | DeCoste of Norwell. |
| Gentile of Sudbury | |

Marijuana Policy.

- Representatives:
- | | |
|--------------------------|-----------------------|
| Cusack of Braintree | Vincent of Revere |
| Tucker of Salem | Madaro of Boston |
| Chan of Quincy | Hay of Fitchburg |
| Finn of West Springfield | Kane of Shrewsbury |
| Vega of Holyoke | Boldyga of Southwick. |
| Velis of Westfield | |

State Administration and Regulatory Oversight.

- Representatives:
- | | |
|-----------------------|-----------------------|
| Benson of Lunenburg | Decker of Cambridge |
| Schmid of Westport | Vincent of Revere |
| Pignatelli of Lenox | Driscoll of Milton |
| Provost of Somerville | Kuros of Uxbridge |
| Campbell of Methuen | Muratore of Plymouth. |
| Ashe of Longmeadow | |

Telecommunications, Utilities and Energy.

- Representatives:
- | | |
|------------------------|-----------------------|
| Golden of Lowell | Madaro of Boston |
| Moran of Lawrence | Cahill of Lynn |
| Cantwell of Marshfield | Meschino of Hull |
| Dykema of Holliston | Mirra of West Newbury |
| Collins of Boston | Hunt of Sandwich. |
| Cutler of Duxbury | |

Communication.

A communication from the Massachusetts Legislative Task Force on the Prevention of Child Sexual Abuse (see Chapter 431 of the Acts of 2014) submitting its report including guidelines and tools for the development of child sexual abuse prevention and intervention plans by youth-serving organizations in Massachusetts, was placed on file.

Children,—sexual abuse prevention.

Reports.

Reports

Of the Department of Environmental Protection (under Section 52 of Chapter 286 of the Acts of 2014) on the comprehensive review of revised Water Management Act permit requirements; and

Of the Massachusetts Department of Transportation (under Section 7 of Chapter 187 of the Acts of 2016) submitting its interim update on the Ride For Hire Task Force;

Severally were placed on file.

Water Management,—permits.

Ride for hire.

Petitions.

Representative Galvin of Canton and Senator Timilty presented a joint petition (accompanied by bill, House, No. 3817) of William C. Galvin and Walter F. Timilty (by vote of the town) that the town of Canton be authorized to use retired Canton police officers as special police officers for the purpose of performing certain police duties; and

Canton,—retired police.

the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mary Sorensen,— sick leave.

Ms. Farley-Bouvier of Pittsfield presented a petition (subject to Joint Rule 12) of Tricia Farley-Bouvier and Adam G. Hinds for legislation to establish a sick leave bank for Mary Sorensen, an employee of the Department of Mental Health; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Bills

Sarah Chaplin,— sick leave.

Establishing a sick leave bank for Sarah Chaplin, an employee of the Department of Correction (Senate, No. 2084, amended in lines 4, 5 and 6 by striking out the following sentence: "Sarah Chaplin shall exhaust all of her sick, vacation, personal and compensation time before using any sick leave days donated to the sick leave bank.") (on a petition); and

David Banks,— sick leave.

Establishing a sick leave bank for David Banks, an employee of the Trial Court of the Commonwealth (Senate, No. 2111) (on Senate bill No. 2107);

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.

Petitions were referred, in concurrence, as follows:

Hardwick,— collector.

Petition (accompanied by bill, Senate, No. 2114) of Anne M. Gobi and Donald R. Berthiaume, Jr., (by vote of the town) for legislation to authorize the board of selectmen of Hardwick to appoint the town collector; and

Hardwick,— treasurer.

Petition (accompanied by bill, Senate, No. 2115) of Anne M. Gobi and Donald R. Berthiaume, Jr., (by vote of the town) for legislation to authorize the board of selectmen of Hardwick to appoint the town treasurer;

Severally to the committee on Municipalities and Regional Government.

Reports of Committees.

Marijuana access.

Mr. Mariano of Quincy, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2097) of the House Bill to ensure the public health and safety of patient and consumer access to medical and adult use of marijuana in the Commonwealth (House, No. 3776), reported a Bill to ensure safe access to medical and adult-use of marijuana in the Commonwealth (House, No. 3818). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Murphy of Weymouth, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was 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:

Abatement AB Initio.

Petition (accompanied by bill) of Evandro C. Carvalho and others relative to the right of Abatement AB Initio for certain individuals. To the committee on the Judiciary.

Cochituate Rail Trail.

Petition (accompanied by bill) of David Paul Linsky, Richard J. Ross and Karen E. Spilka relative to the sponsorship of bridges crossing the state highways on or along the Cochituate Rail Trail in the towns of Natick and Framingham. To the committee on Municipalities and Regional Government.

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

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3517) of Smitty Pignatelli and others that the Department of Public Health be authorized to conduct an investigation and study of the feasibility and value of providing diaper benefits to low-income infants and children,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Diaper benefits,— study.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the Southborough board of selectmen to enter into a land exchange agreement with St. Mark's School of Southborough, Inc. (House, No. 3809) [Local Approval Received], be scheduled for consideration by the House.

Southborough,— land.

Under suspension of Rule 7A, on motion of Mr. Walsh of Peabody, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 1657 and 3767, a Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Lanesborough for the reconstruction of the Narragansett Avenue bridge over Lake Pontoosuc (House, No. 3767).

Lanesborough,— land.

By the same member, for the same committee, on House, No. 3380, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Waltham (House, No. 3810).

Waltham,— land.

By the same member, for the same committee, on House, No. 3384, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in the city of Revere (House, No. 3811).

Revere,— land.

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

Businesses,—
location.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill prohibiting intentional misrepresentation by a business of its location (House, No. 184), be scheduled for consideration by the House; and under Rule 7A, it was placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measures.

Lanesborough,—
Noonan
bridge.

The engrossed Bill designating a certain bridge in the town of Lanesborough as the Sergeant Gregory Aloysius Noonan Bridge (see House, No. 1809, 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.

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 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Philippe
Fauche,—
sick leave.

The engrossed Bill establishing a sick leave bank for Philippe Fauche, an employee of the Department of Mental Health (see House, No. 3723, 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.

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 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Bill
enacted.

The engrossed Bill designating the month of May as Seatbelt Awareness Month (see House, No. 1716, 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.

Orders of the Day.

Third
reading
bill.

The Senate Bill authorizing the city of Leominster to pay a certain unpaid bill (Senate, No. 1132), 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.

Id.

The House Bill authorizing the town of Westborough to grant an additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 3758), reported by the commit-

tee 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.

At a quarter before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House recessed subject to the call of the Chair; and at eight minutes before three o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair. Recess.

The Senate amendment of the House Bill establishing the Massachusetts pregnant workers fairness act (House, No. 3680, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered. Pregnant
workers
fairness
act.

Pending the question on adoption of the amendment, in concurrence, Mr. Brodeur of Melrose moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 3816. The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

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 five minutes before three o'clock P.M., 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.