

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, SEPTEMBER 24, 2018.

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JOURNAL OF THE HOUSE.

Monday, September 24, 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).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

God, Source of Life, we pray today for our Commonwealth and for the elected members of the House of Representatives and their staff. Grant them the ability to achieve those tasks they face in the week ahead.

Prayer.

We give thanks today for wordsmiths who made Massachusetts their home. It was on this day in 1847 that the Merriam brothers published their first edition of Webster's Dictionary.

While at Amherst College, Noah Webster had completed his life's work in 1828; a standardized, distinctly American dictionary of the English language. It was an expansive and expensive two-volume work and the book sold poorly. When Webster died in 1843, Springfield printers Charles and George Merriam acquired the rights to Webster's dictionary and published an affordable text for the public.

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.

Appointments of the Minority Leader.

The Minority Leader announced that he had made the following appointments:

That Representative Crocker of Barnstable had been appointed to the special commission established (under Section 219 of Chapter 69 of the Acts of 2018) to study the prevention of suicide among correction officers in Massachusetts correctional facilities;

Correctional facilities,—suicides.

That Representative Harrington of Groton had been appointed to the bail reform special commission established (under Section 220 of Chapter 69 of the Acts of 2018) to evaluate policies and procedures related to the current bail system and recommend improvements or changes;

Bail.

That Representative Vieira of Falmouth had been appointed to the task force established (under Section 221 of Chapter 69 of the Acts of 2018) to examine and study the treatment and impact of individuals ages 18 to 24 in the court system and correctional system;

Young adults,—court system impact.

That Representative Vieira of Falmouth had been appointed to the special commission established (under Section 226 of Chapter 69 of the Acts of 2018) to conduct a thorough review of the educational and experiential requirements for qualified examiners and the clinical standards and practices and risk assessment criteria used by qualified examiners in conducting an assessment of certain sexually dangerous persons;

Sexually dangerous persons,—examiners.

UNCORRECTED PROOF.

That Representative Kane of Shrewsbury had been appointed to the task force on regional transit authority performance and funding established (under Section 72 of Chapter 154 of the Acts of 2018) to: (i) evaluate how regional transit authorities can best provide and improve transit services that meet identified community needs; (ii) conduct regular service planning, recognizing the diverse service populations and makeup of different geographic regions, that maximizes ridership using available resources; and (iii) ensure that fares, local contributions and other own-source revenues cover an appropriate share of service costs;

Regional transit services.

That Representative Ferguson of Holden had been appointed to the special commission established (under Section 76 of Chapter 154 of the Acts of 2018) to (i) review data concerning the epidemiology of brain injury and the needs of individuals with acquired brain injury and persons with traumatic brain injury and their families; (ii) analyze the current status of rehabilitative residential and integrated community-based support services for persons with acquired brain injury and persons with traumatic brain injury; and (iii) make recommendations regarding the improvement of such services;

Traumatic brain injuries.

That Representative Hill of Ipswich had been appointed to the special commission established (under Section 77 of Chapter 154 of the Acts of 2018) to study and make recommendations to improve efficiencies relative to transportation for the following: students attending regional schools; students in special education out of district placements; students attending out of district vocational and technical schools; and students attending out of district agricultural schools; and any other student transportation the commission deems appropriate;

School transportation.

That Representative Whelan of Brewster had been appointed to the special commission established (under Section 78 of Chapter 154 of the Acts of 2018) to review the hiring and promotion policies and practices of the state police;

State police.

That Representative Smola of Warren had been appointed to the special commission established (under Section 103 of Chapter 154 of the Acts of 2018) to study the financial and economic impacts of crumbling concrete foundations due to the presence of pyrrhotite;

Concrete foundations.

That Representative Muratore of Plymouth had been appointed to the special commission established (under Section 97 of Chapter 209 of the Acts of 2018) to make an investigation and study relative to ocean acidification;

Ocean acidification.

That Representative DeCoste of Norwell had been appointed to the special commission established (under Section 44 of Chapter 218 of the Acts of 2018) to study the cost and feasibility of exempting veterans of the Commonwealth from tuition, fees and associated costs of attending public colleges and universities in the Commonwealth, due to recent changes in federal veteran services and benefits related to higher education; and

Veterans,—tuitions, etc.

That Representative Howitt of Seekonk had been appointed to the special commission established (under Section 31 of Chapter 219 of the Acts of 2018) to study and report on the feasibility and cost of mandating that employees and contractors of the Department of Children and Families, employees and contractors of the Department of Elder Affairs and investigators for the Disabled Persons Protection Commission report known or suspected animal cruelty, abuse and neglect, and of mandating that certain animal control officers report known or suspected abuse of children and elderly and disabled persons.

Cruelty and abuse to children and animals,—reporting.

Resolutions.

UNCORRECTED PROOF.

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

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Donna S. Vanderclock on her retirement following thirty-four years of dedicated service and leadership to the town of Weston; and

Donna S.
Vanderclock.

Resolutions (filed by Messrs. Rogers of Norwood, Kafka of Stoughton, McMurtry of Dedham and Dooley of Norfolk) congratulating Dr. Jean Kenney of Walpole on a 28-year career of educational service to the Walpole Public Schools;

Dr. Jean
Kenney.

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. Peake of Provincetown, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Office of Dam Safety (see Section 48A of Chapter 253 of the General Laws) submitting a report for the year 2017, was placed on file.

Office of
Dam Safety.

Reports.

A monthly report from the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through August 2018; and

Unemployment
Trust Fund.

A report from the Franklin Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2018;

Franklin
Regional
Transit.

Severally were placed on file.

Papers from the Senate.

The House Bill authorizing the town of Brookline to grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises in certain target commercial areas (House, No. 4428, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 54 and 55, striking out the sentence contained in those lines, as amended by the House. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Brookline,—
liquor
licenses.

A petition (accompanied by bill, Senate, No. 2662) of Bruce E. Tarr and Bradford R. Hill (by vote of the town) for legislation to authorize the town of Wenham to make permanent improvements to certain private ways and assess betterments, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Wenham,—
private
ways.

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

September 24, 2018.

UNCORRECTED PROOF.

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 Karen E. Spilka, President of the Senate, has announced the following appointments:

Senator Michael O. Moore (pursuant to Section 219 of Chapter 69 of the Acts of 2018) to the Special Commission to study the prevention of suicide among correctional officers in Massachusetts correctional facilities;

Correctional facilities,—
suicides.

Senator Cynthia Stone Creem (pursuant to Section 221 of Chapter 69 of the Acts of 2018) to the Task Force to examine and study the treatment and impact of individuals ages 18 to 24 in the court system and correction system;

Bail.

Senate President Emerita Harriette L. Chandler (pursuant to Section 76 of Chapter 154 of the Acts of 2018) as Co-Chair to the Brain Injury Commission;

Traumatic brain injuries.

Senator Cindy F. Friedman (pursuant to Section 223 of Chapter 69 of the Acts of 2018) to the Panel on Justice Involved Women;

Justice involved women.

Senator Anne M. Gobi (pursuant to Section 103 of Chapter 154 of the Acts of 2018) as Co-Chair to the Crumbling Concrete Commission to study the financial and economic impacts of crumbling concrete foundations due to the presence of pyrrhotite;

Concrete foundations.

Senator James B. Eldridge (pursuant to Section(s) 202 and 231 of Chapter 69 of the Acts of 2018) to the Restorative Justice Advisory Committee; and

Restorative justice.

Tania Diduca, Chief of Staff at South Middlesex Opportunity Council (pursuant to Section 190 of Chapter 133 of the Acts of 2016) to the Special Commission on Homeless Student Transportation to make a study and recommendations to improve efficiencies relative to transportation for homeless students; and

Homeless students,—
transportation.

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced the following appointments:

Attilio J. Paglia of Rowley (pursuant to Section 78 of Chapter 154 of the Acts of 2018) to the Special Commission to review the hiring and promotion policies and practices of the State Police;

State police.

Ms. Catherine T. J. Howe, Psy.D., (pursuant to Section 2A of Chapter 4 of the General Laws) as his appointment to the Special Commission to review the qualifications and scope of practice of qualified examiners, as defined in section 1 of chapter 123A of the General Laws;

Sexually dangerous persons,—
examiners.

Mr. Robert Gore of Boxford (pursuant to Section 78 of Chapter 154 of the Acts of 2018) as his appointment to the Special Commission to review the hiring and promotion policies and practices of the State Police; and

State police.

Himself with Mr. Paul Lundberg of Gloucester as his designee (pursuant to Section 72 of Chapter 154 of the Acts of 2018) to the Task Force on regional transit authority performance and funding.

Regional transit services.

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

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 joint petition of Paul W. Mark and Adam G. Hinds relative to designating a certain bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Dalton,—
Daehling
bridge.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Allowing the city council of the city of Everett to set the salary for the clerk of the city council (Senate, No. 2514, amended) [Local Approval Received];

Everett,—
council clerk.

Amending the charter of the city of Everett to reduce the amount of time that a former city councilor is required to wait before holding other compensated city employment (Senate, No. 2516, amended) [Local Approval Received];

Everett,—
charter.

Adding a fifth member to the Board of Elections Commission in the City of Everett (Senate, No. 2658) [Local Approval Received]; and

Everett,—
elections.

The House Bill relative to the purchase of land for the Bruce Freeman Rail Trail (House, No. 4755);

Dracut,—
liquor license.

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

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4894, a Bill relative to real property tax deferrals in the town of Arlington (House, No. 4916) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Arlington,—
tax deferrals.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Pamela Lopez, an employee of the Department of Developmental Services (see Senate, No. 2550), 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.

Pamela
Lopez,—
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.

The engrossed Bill establishing a sick leave bank for Paul Walsh, an employee of the Department of Correction (see House, No. 4452, 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.

Paul Walsh,—
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.

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The engrossed Bill establishing a sick leave bank for Amy Burlingame, an employee of the Department of Children and Families (see House, No. 4896, 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.

Amy
Burlingame,—
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.

The engrossed Bill establishing a sick leave bank for Julie A. Jennings, an employee of the Department of Mental Health (see House, No. 4897), 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.

Julie
Jennings,—
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 city of Beverly to continue the employment Paul Cotter as fire chief (see House, No. 4488, 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.

Bill
enacted.

Orders of the Day.

Senate bills
Relative to the General Lafayette Trail (Senate, No. 2265);
Authorizing the city of Worcester to convey a certain parcel of land (Senate, No. 2629); and
Establishing a sick leave bank for Marco Adorno, an employee of the Massachusetts Department of Transportation (Senate, No. 2634);
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, in concurrence.

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

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