

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, OCTOBER 11, 2017.

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JOURNAL OF THE HOUSE.

Wednesday, October 11, 2017.

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:

God Whose Presence Permeates All Life and Creation, we give thanks for the many gifts given to our Commonwealth. We thank You for the efforts of our legislators and their staff in helping to realize just and fair laws for our citizens.

Prayer.

We give thanks today for the dozen or so persons who, on this day in 1841, purchased the farmland in West Roxbury they had been renting. This community of Transcendentalists called their property Brook Farm. Brook Farm was intended to provide its investors with a place to live and work in an atmosphere of cooperation and mutual support, with intellectual discussion and shared social activities. Among its initial investors were founder George Ripley, Bronson Alcott and Nathaniel Hawthorne. The utopian Brook Farm community survived only six years. While their efforts to produce an alternative egalitarian society failed, Massachusetts Transcendentalists left a positive mark on the American spirit of all things fair and hopeful.

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.

Statement Concerning Representative Madaro of Boston.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Madaro of Boston, is unable to be present in the House Chamber for today's sitting due to his being away on his honeymoon. His missing of roll calls today is due entirely to the reason stated.

Statement concerning Mr. Madaro of Boston.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) congratulating Jenny Conant on receiving the Gold Award of the Girl Scouts of America;

Jenny Conant.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Melissa Driver on receiving the Gold Award of the Girl Scouts of America;

Melissa Driver.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Olivia Inman on

Olivia Inman.

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receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Sarah Martin on receiving the Gold Award of the Girl Scouts of America;

Sarah
Martin.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Linnea Wingerup on receiving the Gold Award of the Girl Scouts of America;

Linnea
Wingerup.

Resolutions (filed by Mr. Arciero of Westford) congratulating the League of Women Voters of Westford on the occasion of its fiftieth anniversary;

Westford
women voters.

Resolutions (filed by Mr. González of Springfield) supporting the establishment of the National Museum of the American Latino within the Smithsonian Institution; and

American
Latino
Museum.

Resolutions (filed by Representatives Sánchez of Boston, Moran of Lawrence, González of Springfield, Matias of Lawrence, Tosado of Springfield and Vega of Springfield) honoring the accomplishments and contributions of the Hispanic community to the Commonwealth of Massachusetts;

Hispanic
community.

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. Kafka of Stoughton, 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 Mrs. Haddad of Somerset, a petition (subject to Joint Rule 12) of Patricia A. Haddad relative to excise taxes assessed on leased motor vehicles.

Leased vehicles,—
excise.

By Ms. Keefe of Worcester, a petition (subject to Joint Rule 12) of Mary S. Keefe, Harriette L. Chandler and Daniel M. Donahue for legislation to establish a sick leave bank for Patricia Burnette, an employee of the Department of Mental Health.

Patricia
Burnette,—
sick leave.

By Mr. Madaro of Boston, a petition (subject to Joint Rule 12) of Adrian Madaro for legislation to establish a sick leave bank for Ann Marie Campos, an employee of the Trial Court.

Ann Marie
Campos,—
sick leave.

By Representative Ryan of Boston and Senator DiDomenico, a joint petition (subject to Joint Rule 12) of Daniel J. Ryan, Sal N. DiDomenico and RoseLee Vincent for legislation to designate a certain bridge in the city of Chelsea as the John P. Bruttaniti memorial bridge.

Chelsea,—
Bruttaniti
bridge.

By Ms. Tyler of Boston, a petition (subject to Joint Rule 12) of Chynah Tyler relative to the governance and operations of the Reggie Lewis Track and Athletic Center at Roxbury Community College.

Reggie
Lewis
Center.

By Representative Vincent of Revere and Senator Boncore, a joint petition (subject to Joint Rule 12) of RoseLee Vincent and Joseph A. Boncore for legislation designate a certain area in the Cronin Rink in Revere in honor of Roger Naples.

Revere,—
Roger Naples
plaque.

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

Paper from the Senate.

A Bill to further define standards of employee safety (printed as House, No. 3952) (being Senate bill No. 2167, published as amended), passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Employee
safety,—
standards.

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 petition of Denise Rochon relative to recovery of costs for certain medical assistance. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Health Care Financing. Sent to the Senate for concurrence.

Medical assistance.

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to Diabetes prevention (House, No. 1128).

Diabetes prevention.

By the same member, for the same committee, on a petition, a Bill relative to postpartum depression screening (House, No. 1156).

Postpartum depression.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to robotic surgery in the Commonwealth (House, No. 1182).

Robotic surgery.

By the same member, for the same committee, on a petition, a Bill protecting the health and safety of people in restaurants (House, No. 2431).

Restaurants,— training.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill establishing an emergency equipment grant program for firefighters (House, No. 1235).

Firefighter,— equipment grants.

By the same member, for the same committee, on a petition, a Bill relative to public safety in hoisting regulations (House, No. 1240).

Hoisting,— regulations.

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

Engrossed Bills.

Engrossed bills

Establishing a town manager in the town of West Newbury (see Senate, No. 2161) (which originated in the Senate);

Bills enacted.

Authorizing the city of Peabody to grant 20 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3788, amended);

Authorizing the town of Whately to continue the employment of John LaSalle as a call firefighter (see House, No. 3791, amended); and

Authorizing the town of Milford to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3842);

(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.

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

Silent Prayer.

At the request of Representatives Barber of Somerville, Connolly of Cambridge, Provost of Somerville and Miceli of Wilmington, the members, guests and employees stood in a moment of silence tribute to the memory of Somerville Police Officer Louis Remigio, a 30 year veteran of the Somerville Police Department. Officer Remigio passed away Monday at Portsmouth Regional Hospital, after being involved in a motor vehicle accident in New Hampshire Sunday morning. Officer Remigio, a Tewksbury resident, was a dedicated officer known for his empathy, both on and off-duty, and will be remembered for his tremendous contributions to public safety and the community of Somerville. Officer Remigio is survived by his two daughters, Alexandra and Danielle.

Somerville
Police Officer
Louis Remigio.

Mr. Donato of Medford being in the Chair,—

Prior to the noon recess, Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 3969, reported, in part, a Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3951) [Total appropriations: \$123,223,598.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
appropriations.

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

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

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Sánchez of Boston, 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. Linsky of Natick and other members of the House moved to amend it by adding the following three sections:

“SECTION 45: Chapter 140 of General Laws is hereby amended by inserting after section 131Q, as appearing in the 2016 Official Edition, the following section:-

Section 131R. Whoever possesses, owns or offers for sale any device which attaches to a rifle, shotgun or firearm, except a magazine, that is designed to increase the rate of discharge of the rifle, shotgun or firearm or whoever modifies any rifle, shotgun or firearm with the intent to increase its rate of discharge, shall be punished by imprisonment in the state prison by not less than 3 nor more than 20 years.

SECTION 46. Section 45 shall take effect 180 days after the effective date of this act.

SECTION 47. The Secretary of Public Safety shall promulgate regulations by January 1, 2018 concerning the allow ability of maintenance and enhancement of rifles, shotguns and firearms consistent with the intent of this section.”.

After remarks on the question on adoption of the amendment, the sense of the

Amendment
adopted,—

House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 3 in the negative.

yea and nay
No. 267.

[See Yea and Nay No. 267 in Supplement.]

Therefore the amendment was adopted.

Representatives DiZoglio of Methuen and Hunt of Sandwich then moved to amend the bill by adding the following section:

“SECTION 48. Subsection (b) of section 14 of chapter 94G of the General Laws, as amended by Chapter 55 of the Acts of 2017, is hereby amended by inserting after the words ‘chapter 94C’ the following words:—

; provided, however, that not less than the lesser of 1) \$30,000,000 or 2) 15 percent of monies deposited into the fund during the prior fiscal year shall be expended annually on substance use prevention and treatment programs, of which, not less than the lesser of 1) \$5,000,000 or 2) two and one-half percent of monies shall be expended annually, distributed on a per pupil basis, to the public schools in the commonwealth to provide substance use education, prevention, intervention, social emotional supports, and professional development and training, as determined by the school district”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Ms. DiZoglio of Methuen; and on the roll call 47 members voted in the affirmative and 108 in the negative.

Amendment
rejected,—
yea and nay
No. 268.

[See Yea and Nay No. 268 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 17 the following section:

“SECTION 17A. Section 2 of chapter 47 of the acts of 2017 is hereby further amended by inserting after item 0521-0001, the following item:—

0521-0002 For reimbursements to municipalities for costs associated with the implementation of the mandated provisions of early voting for the November 8, 2016 State Election as required by section 25B of chapter 54 of the General Laws; provided, that the state secretary shall only reimburse the municipalities for costs that have previously been certified by the division of local mandates within the office of the state auditor; and provided further, that any unexpended funds in this item shall be made available until December 31, 2017.....\$485,559”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 269.

[See Yea and Nay No. 269 in Supplement.]

Therefore the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 2 C.I., by inserting, after item 4190-1100, the following item:

“COMMUNITY COLLEGES

7510-0200 \$1,000,000”;

And in section 20, in item 1410-0022, in lines 221 and 222, by striking out the words “the Serving Every Veterans In Civilian Employment (SERVICE) tax credit” and inserting in place thereof the words “a comprehensive program to enhance employment opportunities and outcomes among veterans by assisting businesses to attract, hire, train and retain veterans”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of

Bill passed to

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the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 154 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 270 in Supplement.]

Therefore the bill (House, No. 3951, amended) was passed to be engrossed. Sent to the Senate for concurrence.

be engrossed,—
yea and nay
No. 270.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill establishing a sick leave bank for Amanda Rodrigues, an employee of the Trial Court (House, No. 3932), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Petrolati of Ludlow; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

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.

Mr. Frost of Auburn 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-eight minutes after 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.