

## JOURNAL OF THE HOUSE.

Wednesday, October 25, 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:

Prayer. God of Tempest and Storm, we marvel at Your Power in the weather our state is experiencing today. May Your Grace rain down upon the members of our House Chamber as they seek to work together for the betterment of Massachusetts and its citizens.

This week, we remember an author who while living in Massachusetts made her mark upon pre-schoolers and young school-aged children throughout the country.

Sarah Josepha Hale, born on October 24, 1788, was one of America's first female authors, penning an anti-slavery novel called "Northwood: Life North and South". While living in Boston, she wrote the nursery rhyme "Mary Had A Little Lamb." Thomas Edison later made her words the first ever recorded on his invention the phonograph.

Mrs. Hale was also influential in creating Thanksgiving Day as a national holiday and her efforts as the editor of a magazine for women and as the producer of large craft fairs held at Quincy Market raised the necessary funds to complete the Bunker Hill Monument in Charlestown.

May God continue to bless our Commonwealth.

Pledge of allegiance. 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.

### Statement Concerning Representative Carvalho of Boston.

A statement of Mr. Moran of Boston concerning Mr. Carvalho of Boston was spread upon the records of the House, as follows:

Statement concerning Mr. Carvalho of Boston. MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Carvalho of Boston, was unable to be present in the House Chamber for today's sitting due to his being out of the country for an official capacity trip to Taiwan. If he could have been present today he would have voted in the affirmative, in each instance, on roll call number 272, on passing to be engrossed, in concurrence, the Senate Bill relative to handicapped parking (Senate, No. 2178, amended); on roll call number 273, on passing to be engrossed, in concurrence, the Senate Bill relative to standards of employee safety (printed as House, No. 3952, amended); and, on roll call number 274, on passing to be engrossed the House Bill establishing regional commissions on the status of women (House, No. 1110, amended). His missing of roll calls today was due entirely to the reason stated.

### Guest of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Ambassador Zhang Qiyue, Consul General of the People's Republic of China. She was visiting the State House to celebrate the Second Annual China Day. Ambassador Qiyue was the guest of Representative Chan of Quincy and the members of the Asian Caucus.

Ambassador Zhang Qiyue.

### Resolutions.

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

Resolutions (filed by Ms. Decker of Cambridge) commending the First Church Shelter of Cambridge on the occasion of its thirtieth anniversary;

Cambridge,—First Church.

Resolutions (filed by Mr. Honan of Boston) congratulating Thomas J. Connelly, Jr., on the occasion of his retirement; and

Thomas Connelly.

Resolutions (filed by Messrs. Vega of Holyoke and Kocot of Northampton) commending the city of Northampton on its recognition of November 11, 2017 as Jane Addams Day;

Northampton,—Jane Addams Day.

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.

### Communications.

#### Communications

From the Massachusetts Gaming Commission (see Section 60 of Chapter 23K of the General Laws) submitting its recommendations on the distribution of the Race Horse Development Fund between thoroughbred and Standardbred racing facilities to support the thoroughbred and Standardbred industries.

Race Horse Development Funds.

From the Martha's Vineyard Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2017; and

Dukes County,—transit.

From the Nantucket Regional Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2017;

Nantucket Transit.

Severally were placed on file.

### Petitions.

Petitions severally were presented and referred as follows:

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 3976) of Bradley H. Jones, Jr., and Thomas M. McGee (by vote of the town) that the town of Lynnfield be authorized to grant five additional licenses for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Lynnfield,—liquor licenses.

By the same member, a petition (accompanied by bill, House, No. 3977) of Bradley H. Jones, Jr., and Thomas M. McGee (by vote of the town) that the town of Lynnfield be authorized to change the date

Lynnfield,—town meeting.

of the annual town election of said town. To the committee on Election Laws.

Milford,—  
debt.

By Mr. Murray of Milford, a petition (accompanied by bill, House, No. 3978) of Brian Murray and Ryan C. Fattman (by vote of the town) that the town of Milford be authorized to incur debt for the purchase of the Milford Water Company. To the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

*Papers from the Senate.*

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Trade  
schools.

Petition (accompanied by bill, Senate, No. 2188) of Richard J. Ross and Jeffrey N. Roy for legislation relative to the accessibility and affordability of trade school education. To the committee on Revenue.

New  
Braintree,—  
capital  
project.

Petition (accompanied by bill, Senate, No. 2189) of Anne M. Gobi and Donald R. Berthiaume, Jr. (by vote of the town of New Braintree) for legislation to amend Chapter 268 of the Acts of 2000. To the committee on State Administration and Regulatory Oversight.

*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:

Health  
education.

Petition (accompanied by bill) of Marjorie C. Decker and others relative to the teaching of health education in school. To the committee on Education.

Clerk-  
magistrates,—  
appeals.

Petition (accompanied by bill) of Cara Veremko for legislation to establish an appeals process for decisions by clerk-magistrates. To the committee on the Judiciary.

Patricia  
Burnette,—  
sick leave.

Petition (accompanied by bill) 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; and

Gary  
Erskine,—  
sick leave.

Petition (accompanied by bill) of James R. Miceli for legislation to establish a sick leave bank for Gary Erskine, an employee of the Department of Public Health;

Severally to the committee on Public Service.

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.

*Engrossed Bills.*

Bills  
enacted.

Engrossed bills  
Relative to town meeting members in the town of Burlington (see House, No. 2789);

Authorizing the town of Burlington to grant 8 additional licenses for the sale of alcoholic beverages to be drunk on the premises (see House, No. 3756, amended); and

Further regulating the appointment of the trustees of the public library of the city of Boston (see House, No. 3862, amended);

(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 ten 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 four minutes after one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

*Engrossed Bill — Land Taking.*

The engrossed Bill authorizing the town of Plymouth to exchange a parcel of land held for conservation purposes for a parcel of land in the town of Plymouth (see Senate, No. 2085, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Plymouth,—  
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted  
(land taking),—  
yea and nay  
No. 271.

**[See Ye and Nay No. 271 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Reports of Committees.*

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Ann Marie Campos, an employee of the Trial Court (House, No. 3965). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Ann Marie  
Campos,—  
sick leave.

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. Madaro of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Senate Bill relative to handicapped parking (Senate, No. 2178), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3973.

Handicapped  
parking.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of Mr. Straus of Mattapoisett, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2178, amended) was ordered to a third reading.

Handicapped parking.

Subsequently, under suspension of the rules, on motion of the same member, 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, as amended, to be engrossed, in concurrence, Mr. Scibak of South Hadley moved to amend it by adding the following section:

"SECTION 14. The eighth paragraph of section 2 of chapter 90 of the General Laws, as appearing in the 2016 Official Edition is hereby amended by inserting after the first sentence the following three sentences:— Permanent placards shall have the 'International Symbol of Access' and lettering in white on a blue background. Temporary placards shall have the 'International Symbol of Access' and lettering appear in white on a red background. During the period for which it is valid, a temporary placard carries the same privileges as a permanent placard and has the same use restrictions contained within said chapter."

The amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill by adding the following section:

"SECTION 15. Section 22 of chapter 40 of the General Laws, as appearing in the 2016 official edition, is hereby amended by adding the following sentence:—

An individual legally in possession of a handicap license or placard at the time of the alleged violation will not be required to pay any fee to challenge or appeal a finding of a local police department that the individual's automobile was parked in a handicap space in violation of local ordinance or state law."

The amendment was adopted.

Mr. Jones of North Reading then moved to amend the bill in section 13, in line 57, by striking out the word "July" and inserting in place there of the word "September"; and the amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Straus of Mattapoisett; and on the roll call 152 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 272 in Supplement.]**

Therefore the bill (Senate, No. 2178, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House [for text of House amendment, see House document numbered 3973, amended].

Bill passed to be engrossed,—yea and nay No. 272.

Employee safety.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Senate Bill to further define standards of employee safety (printed as House, No. 3952), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3974. 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.

Under suspension of Rule 7A, on motion of Mr. Brodeur of Melrose, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act relative to standards of employee safety".

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Jones of North Reading and other members of the House moved to amend it in section 3, in line 49, by striking out the following: "September 1, 2018" and inserting in place thereof the following: "July 1, 2019"; and the amendment was adopted.

Mr. Jones then moved to amend the bill in section 2, in line 18, by striking out the figures: "21" and inserting in place thereof the figures: "23"; and in line 22 by inserting after the word "designee" the following: "1 of whom shall be the secretary of transportation or a designee; 1 of whom shall be the executive director of the Massachusetts Water Resources Authority or a designee". The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Brodeur of Melrose; and on the roll call 151 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 273 in Supplement.]**

Therefore the bill (printed as House, No. 3952, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

Bill passed to be engrossed,—yea and nay No. 273.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the House Bill establishing regional commissions on the status of women and girls (House, No. 1110), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Status of women,—regional commissions.

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

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

Subsequently, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act establishing regional commissions on the status of women".

On the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out sections 4 and 5 and inserting in place thereof the following section:

"SECTION 4. This act shall take effect on January 1, 2018."; and by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish certain regional commissions on the status of women, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendments were adopted.

Bill passed to  
be engrossed,—  
yea and nay  
No. 274.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mrs. Poirier of North Attleborough; and on the roll call 152 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 274 in Supplement.]**

Therefore the bill was passed to be engrossed. The bill (House, No. 1110, amended) then was sent to the Senate for concurrence.

Waltham,—  
land.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the 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), ought to pass with an amendment by substitution of a bill with the same title (House, No. 3975). 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.

Under suspension of Rule 7A, on motion of Mr. Cabral of New Bedford, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Aviation  
workers,—  
training.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill requiring legal aviation service worker training (House, No. 2155), be scheduled for consideration by the House.

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

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:

Dennis,—  
fund.

Establishing a solid waste and recycling capital improvement fund for the town of Dennis (House, No. 3898) [Local Approval Received]; and

Id.

To establish a waterways capital improvement fund for the town of Dennis (House, No. 3899) [Local Approval Received];

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

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

Third  
reading  
bill.

The House Bill establishing a sick leave bank for Marlene M. Ayash, an employee of the Trial Court (House, No. 3945), 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 Ms. Balsler of Newton; and it was 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 tomorrow at eleven o'clock A.M. Next  
sitting.

Mr. Hill of Ipswich 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-two minutes before four 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.