

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 10, 2018.

[124]

JOURNAL OF THE HOUSE.

Monday, December 10, 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 give thanks today for our state's treasury of cultural and artistic achievements. Today we honor the anniversary of the 1830 birth of one of America's most famous poets, Emily Dickinson.

Dickinson lived her entire life in Amherst, with most of her 55 years spent on the same parcel of land as she walked back and forth from her parents' home to her brother Austin's property. Later in life she became a recluse and would not be seen by most outsiders, thus acquiring the nickname, "the Lady in White".

Much of her poems, about 1800 in number, were not discovered until after her death. Her poetry had a variety of themes, but later focused on the brevity of life.

We pray for our legislature in their efforts to put words to paper and today we pray especially for 3rd Hampshire District Representative Solomon Goldstein-Rose and his staff.

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.

Silent Prayer.

At the request of Representatives Kane of Shrewsbury, Donahue of Worcester, Keefe of Worcester, Mahoney of Worcester, Campanale of Leicester and O'Day of West Boylston, the members, guests and employees stood in a moment of silent tribute to the memory of Worcester firefighter Christopher Roy, 36, who died yesterday while fighting a five-alarm fire in Worcester.

He leaves behind a 9-year-old daughter, a brother and his parents, Michele and Ronald Roy, who live in Worcester. The Shrewsbury resident had been with the department for 2 1/2 years.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, students from debate class at Mansfield High School. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Barrows of Mansfield.

Prayer.

Pledge of
allegiance.

Christopher
Roy.

Mansfield
High School,—
debate class.

UNCORRECTED PROOF.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, students and chaperones from the Metrowest Jewish Day School in Framingham. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Lewis of Framingham.

Metrowest
Jewish Day
School.

Resolutions.

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

Resolutions (filed by Representatives DiZoglio of Methuen, Campbell of Methuen and Moran of Lawrence) recognizing the twenty-fifth annual Methuen Festival of Trees; and

Methuen,—
Festival
of Trees.

Resolutions (filed by Mr. Roy of Franklin) recognizing the Honorable Victor Angelo Pisini on the occasion of his ninetieth birthday;

Victor
Pisini.

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

Petitions.

Representative Vincent of Revere and Senator Boncore presented a joint petition (subject to Joint Rule 12) of RoseLee Vincent and Joseph A. Boncore for legislation to establish a sick leave bank for Michael Hooton, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Michael
Hooton,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 Public Service. Sent to the Senate for concurrence.

Mr. Kulik of Worthington presented a petition (accompanied by bill, House, No. 4995) of Stephen Kulik (by vote of the town) that the town of Montague be authorized to grant an additional liquor license for the sale of wines and malt beverages to be drunk on the premises; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Montague,—
liquor license.

Mr. Moran of Boston presented a petition (subject to Joint Rule 12) of Michael J. Moran relative to single-rider electric scooters or bicycles, so-called micro-mobility devices; and the same was referred, under Rule 24, to the committee on Rules.

Micro-mobility
devices.

Papers from the Senate.

Bills

UNCORRECTED PROOF.

Exempting all positions in the police department of the city of North Adams from the civil service law (Senate, No. 2666) (on a petition) [Local Approval Received]; and

North Adams,—
civil service.

Regarding the authorization of the town of Sturbridge to grant an additional license for sale of all alcoholic beverages (printed in Senate, No. 2673) (on a message from His Excellency the Governor);

Sturbridge,—
liquor
license.

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 petition of Marc R. Pacheco and Susan Williams Gifford for legislation to establish a sick leave bank for Cheryl Ann Gracia, an employee of the Trial Court of the Commonwealth, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Cheryl Ann
Gracia,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2683) was referred, in concurrence, to the committee on the Judiciary.

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 John S. Gay, an employee of the Trial Court of the Commonwealth (House, No. 4992). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

John Gay,—
sick leave.

Mr. Murphy of Weymouth, for said committee, then reported that 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.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill establishing the DHY Clean Waters Community Partnership for the towns of Dennis, Harwich and Yarmouth (House, No. 4971, changed in section 2, in lines 17 and 20, and in section 7, in line 163, by striking out the figure: “2” and inserting in place thereof, in each instance, the figure: “3”). Read; and referred, under Rule 33, to the committee on Ways and Means.

DHY Clean
Waters.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to elections for fire district number 2 in the town of South Hadley (House, No. 4963).

South Hadley,—
elections.

By the same member, for the same committee, on a petition, a Bill relative to elections for fire district number 1 in the town of South Hadley (House, No. 4964).

Id.

By the same member, for the same committee, on a petition, a Bill relative to election locations for fire district number 2 in the town of South Hadley (House, No. 4965).

Id.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4972, a Bill relative to placing a plaque at the McCarthy Pavilion in the city of Revere in memory of Grace Hill Sannella (House, No. 4993).

Grace Sannella
memorial plaque.

By the same member, for the same committee, on House, No. 4973, a Bill designating the state pool for children in the town of Clinton as the Liberty M.

Clinton,—
pool.

UNCORRECTED PROOF.

Arnold-Simon memorial children's pool (House, No. 4994).

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Laurie Wendover, an employee of the Department of Correction (see Senate, No. 2083, 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.

Laurie
Wendover,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVII (as amended by Article LXVII) of the Amendments to the Constitution; and the emergency 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 Senate) was passed to be enacted; it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Rachael Purnell, an employee of the Trial Court (see House, No. 4980), 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.

Rachael
Purnell—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVII (as amended by Article LXVII) of the Amendments to the Constitution; and the emergency 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; it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Berkley to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises (see Senate, No. 2596, amended);

Bills
enacted.

Authorizing the town of Wenham to make permanent improvements to certain private ways and assess betterments (see Senate, No. 2678);

(Which severally originated in the Senate); and

Authorizing the town of Foxborough to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4768) (which 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.

Orders of the Day.

The engrossed Bill relative to the lease of certain yacht clubs on land owned by the Commonwealth (see House, No. 4824), which had been returned by His

Yacht clubs,—
leases.

Excellency the Governor with recommendation of amendment (for message see Attachment F of House, No. 4833), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted.

Pending the question on adoption of the amendment recommended by the Governor, Mr. Speliotis of Danvers moved that it be amended by striking out the text of said amendment and inserting in place thereof the following:

“Chapter 65 of the acts of 2010 is hereby amended by inserting after section 2 the following section:-

Section 2A. Notwithstanding any general or special law to the contrary, the leases or other agreements executed under section 1 shall not require an annual rental payment increase of more than 3 per cent of the established rental or permit payment rate for each lease or other agreement as of January 1, 2015. This section shall not apply to any lease or other agreement executed by a club associated with an institution of higher education.”.

The further amendment was adopted, thus precluding a vote on the amendment recommended by the Governor. Sent to the Senate for its action.

The House Bill requiring the appointment of additional members to the Somerville Redevelopment Authority (House, No. 4951), 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. Sent to the Senate for concurrence.

Third reading bill.

The House Bill relative to the removal of certain elected financial officials for the town of Sherborn (House, No. 4533) (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.

Sherborn,—officials.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4996), which was read.

The amendment was adopted; and the substituted bill 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 on Thursday next at eleven o'clock A.M.

Next sitting.

At twenty-one minutes before twelve o'clock noon, on motion of Mrs. Ferguson of Holden (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.

UNCORRECTED PROOF.