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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**MONDAY, DECEMBER 31, 2018.**

[133]

# JOURNAL OF THE HOUSE.

Monday, December 31, 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).

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.

## *Change in Address of a Member.*

The official home town of record for Representative Smitty Pignatelli formerly of Lenox has been changed (effective for General Court records as of January 2, 2019) to the town of Lee.

Representative Pignatelli of Lee.

## *Communications.*

### Communications

From the Department of Public Health (see Section 2 of Chapter 111 of the General Laws) submitting the annual report summarizing mortality data and statistics for the calendar year 2016;

Mortality data statistics.

From the Essex District Attorney (see item 0340-2100 contained in Section 2 of Chapter 154 of the Acts of 2018) notifying the House and Senate committees on Ways and Means of funds from the AA object class of said district attorney's administrative line item and means of its intention to make that transfer; and

Essex District Attorney,—transfer.

From the Pioneer Valley Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for fiscal year 2018;

Pioneer Valley Transit Authority.

Severally were placed on file.

## *Annual and Special Reports.*

The Annual report of the Massachusetts Clean Water Trust (under Section 17 of Chapter 29C of the General Laws) submitting their Clean Water and Drinking Water State Revolving Fund Comprehensive Annual Financial Report for fiscal year 2018 [copies of the report forwarded to the Speaker and the House committee on Ways and Means, in accordance with said law], was sent to the Senate for its information;

Clean Water Trust.

### Annual reports

Of the Office of the Child Advocate (under Section 17 of Chapter 69 of the Acts of 2018) submitting the first annual report of the Childhood Trauma Task Force;

Child Trauma Task Force.

Of the Department of Youth Services (under Section 22 of Chapter 120 of the General Laws) submitting its annual report for fiscal year 2017; and

DYS,—annual report.

Of the Executive Office of Housing and Economic Development (under

Performance

Section 4 of Chapter 240 of the Acts of 2010) submitting its annual reports for the Office of Performance Management and Oversight for fiscal year 2018; and	management and oversight.
Reports	
Of 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 November 2018;	Unemployment Trust Fund.
Of the Executive Office of Energy and Environmental Affairs (under the provisions of Section 5 of Chapter 298 of the Acts of 2008) regarding the implementation of regulations relative to climate change in the Commonwealth;	Climate change regulations.
Of the Massachusetts Department of Transportation (under Section 46 of Chapter 154 of the Acts of 2018) submitting the first annual report of its review on the financial performance, ridership, asset management, and customer service of Regional Transit Authorities;	MassDOT,— Regional Transit Authorities.
Of the Special Commission to Examine the Qualifications and Scope of Practice of Qualified Examiners (under Section 226 of Chapter 69 of the Acts of 2018) submitting a report of its review of the educational and experiential requirements for Qualified Examiners and the clinical standards, practices and risk-assessment criteria used by Qualified Examiners in conducting assessments of sexually dangerous persons; and	Qualified examiners.
Of the Special Commission on the Hiring and Promotional Practices of the Massachusetts State Police (under Section 78 of Chapter 154 of the Acts of 2018) submitting a report of its review of the hiring and promotion practices of the Massachusetts State Police;	State Police hiring practices.
Severally were placed on file.	

*Petitions.*

Petitions severally were presented and referred as follows:	
By Mr. Whelan of Brewster, a petition (subject to Joint Rules 12 and 7A) of Timothy R. Whelan for legislation to authorize James S. Armentrout to purchase creditable service from the Barnstable County Retirement Board.	James S. Armentrout,— retirement.
By Mr. Kocot of Northampton, a petition (subject to Joint Rule 7B) of Peter V. Kocot that the town of Hatfield be authorized to issue certain tax bills for fiscal year 2018 after December 31.	Hatfield,— tax bills.
By Ms. Whipps of Athol, a petition (subject to Joint Rule 7B) of Susannah M. Whipps that the town of Athol be authorized to grant six additional liquor licenses for the sale of alcoholic beverages to be drunk on the premises.	Athol,— liquor licences.
By Mr. Barrett of North Adams, a petition (subject to Joint Rule 12) of John Barrett relative to the election of members to school committee of the Hoosac Valley Regional School District in the towns of Adams and Cheshire.	Adams and Cheshire,— committee.
Severally, under Rule 24, to the committee on Rules.	

*Papers from the Senate.*

The House Bill relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (printed in House, No. 4983, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 26, inserting after the word "indemnified" the words "by the town of Yarmouth". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment	Yarmouth,— Christopher Van Ness.
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was correctly drawn; and it was adopted, in concurrence.

The House Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5009), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2701. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently, the noon recess having terminated, said committee reported that the amendment was correctly drawn.

Supplemental  
budget.

Mr. Speliotis of Danvers then moved that the House concur with the Senate in its amendment with further amendments by striking out section 3 (inserted by amendment by the Senate) and inserting in place thereof the following section:

“SECTION 3. Subsection (b) of section 21 of chapter 62C of the General Laws, as most recently amended by section 5 of chapter 337 of the acts of 2018, is hereby further amended by adding the following clause:—

(31) the disclosure to the department of family and medical leave established in section 8 of chapter 175M of return information and wage reporting information that is: (i) received by the commissioner pursuant to chapter 62E; and (ii) necessary for the administration of the family and medical leave program established pursuant to said chapter 175M.”;

By inserting after section 6 (inserted by amendment by the Senate) the following 2 sections:

“SECTION 6A. Item 8000-0313 of said section 2 of chapter 154 of the acts of 2018 is hereby amended by inserting, in line 1, after the word ‘programs’ the following words:— ; provided further, that not less than \$250,000 shall be expended to the Presentation School Foundation Community Center in the Brighton section of the city of Boston for public safety upgrades;

SECTION 6B. Said Item 8000-0313 of said section 2 of said chapter 154 is hereby further amended by striking out the figures ‘\$3,326,000’ and inserting in place thereof the following figures:— \$3,576,000”; and

By inserting after section 7 (inserted by amendment by the Senate) the following section:

“SECTION 7A. Notwithstanding any general or special law to the contrary, the portion of the greenway, as defined in section 2 of chapter 306 of the acts of 2008, that is shown as parcel 23D on the plan defined in said section 2 of said chapter 306 shall be designated and known as the Auntie Kay and Uncle Frank Chin Park. Subject to approval of an agreement between the Massachusetts Department of Transportation and the Rose Fitzgerald Kennedy Greenway Conservancy, Inc., the department shall: (i) erect and maintain suitable markers on parcel 23D bearing that designation; or (ii) provide the conservancy with such suitable markers for display by the conservancy on parcel 23D.”.

The further amendments were adopted.

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

The House Bill relative to the establishment of a means tested senior citizen property tax exemption (House, No. 4001), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 1 and 2, striking out the following: “Chapter 59 of the General Laws, is hereby amended” and inserting in place thereof the following:

Senior  
property  
taxes.

“SECTION 1. Section 5 of chapter 59 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word ‘household’, in line 1124, the following words:— or \$80,000, whichever is greater.

SECTION 2. Said chapter 59 is hereby further amended”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

#### *Reports of Committees.*

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill to relative to education collaboratives (Senate, No. 2330), 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 5029. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Education  
collaboratives.

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

Under suspension of the Rule 7A, on motion of Mr. Kafka of Stoughton, 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. 2330, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Stanley of Waltham, the bill (having been 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 in the amendment.

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Bill authorizing a corrective change to Chapter 154 of the Acts of 1983 (House, No. 5011), ought to pass with an amendment substituting therefor a Bill relative to certain retirement benefits for Harold F. MacGilvray, Jr. (House, No. 5028). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Harold  
MacGilvray,—  
benefits.

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. Kafka of Stoughton, 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.

Subsequently, under suspension of the rules, on motion of Mr. Michlewitz 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; and it was passed to be engrossed. Sent to the Senate for concurrence.

#### *Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Gina Parolisi, an employee of the Trial Court (see House, No. 4986, 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.

Gina  
Parolisi,—  
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 7 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.

Bill enacted.

*Engrossed Bills.*

Engrossed bills

Improving juror service (see Senate, No. 771) (which originated in the Senate);

Bills enacted.

Providing for recall elections in the town of Erving (see House, No. 4144, amended);

Authorizing the city of Worcester to lease a certain building known as the Nurses' Building (see House, No. 4534, amended); and

Relative to the affordable housing trust fund of the town of Brewster (see House, No. 4619, 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.

*Orders of the Day.*

The Senate further amendment to the House amendment of the engrossed Bill relative to the prescription monitoring program (see House, No. 4938), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Prescription monitoring program.

The Senate amendment of the House Bill relative to the Massachusetts Port Authority community advisory committee (House, No. 4101), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Massport advisory committee.

Senate bills

Establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (Senate, No. 2672); and

Third reading bills.

Establishing a sick leave bank for Maria Krull, an employee of the Department of Unemployment Assistance (Senate, No. 2680, amended);

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.

House bills

Authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. for a term of up to 99 years (House, No. 4925); and

Id.

Authorizing the town of Ashland to establish a special revenue fund for an economic development funding program (House, No. 5014);

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. Severally sent to the Senate for concurrence.

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The House Bill authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (House, No. 4663), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Notwithstanding any general or special law to the contrary, and in order to promote the public good, the retirement board of the city of Worcester shall retire Brian Patrick Carroll, a firefighter of the city of Worcester who as the result of serious injuries sustained in the performance of his duties, while trapped in a fire with his partner who was killed in the line of duty on December 8, 2011 during the incident, is totally and permanently incapacitated from further service as a firefighter. The annual amount of pension payable to Brian Patrick Carroll under this act shall be in an amount equal to 80 percent of the regular rate of compensation which would have been paid had he continued in service as a firefighter in Worcester at the grade held by him at the time of his retirement; provided, that: (1) after he has attained the maximum age for his group, his retirement allowance shall be fixed at the appropriate rate for an accidental disability retirement pursuant to section 7 of chapter 32 of the General Laws, treating his retirement years as creditable service and the regular compensation payable had he continued in service as a firefighter for determining the amount of his benefits; and (2) the retirement allowances payable to him after he has attained the maximum age for his group shall be increased in the manner provided to all retirees of the city pursuant to said chapter 32.

SECTION 2. Before taking action pursuant to sections 1, 3, 4 or 5 of this act, the retirement board of the city of Worcester shall request the state public employee retirement administration commission to appoint a medical panel consisting of 3 separate physicians who shall examine Brian Patrick Carroll individually. The retirement board of the city of Worcester shall approve a pension for Brian Patrick Carroll pursuant to section 1 upon receipt of the medical panel report in which the majority concludes that Brian Patrick Carroll is incapacitated for further duty as a firefighter, that the incapacity is likely to be permanent and that the injuries were sustained in the performance of his duties. The retirement shall become effective as of the last day on which he is entitled to receive regular compensation.

SECTION 3. Upon the death of Brian Patrick Carroll, the city of Worcester shall pay to his wife at the time of the incident an annual pension equal to the sum of two thirds of the benefit paid to him at the time of his death.

SECTION 4. Upon his retirement pursuant to this act, Brian Patrick Carroll shall be eligible for health insurance through the city of Worcester on the same basis as other retirees of the city and shall be responsible for the retirees' share of premiums. Following his retirement, the city of Worcester shall pay for necessary and reasonable medical expenses incurred by Brian Patrick Carroll due to injuries for which he was retired. Medical care shall first be provided through the health insurance provided to retired city of Worcester employees pursuant to chapters 32B and 150E of the General Laws. The city of Worcester shall pay to the health care providers co-payments which are both required by the health insurance policy under

which the firefighter is insured and which are reasonably necessary and related to the injuries he suffered in the December 8, 2011 incident.

SECTION 5. The retirement allowances payable pursuant to this act shall remain subject to all other provisions of chapter 32 of the General Laws as if they had been granted as accidental disability retirement benefits in the normal course of events, pursuant to said chapter 32, except to the extent that said chapter 32 conflicts with this act.”

The amendment was adopted; and the bill (House, No. 4663, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to health insurance benefits for certain retirees in the town of Pembroke (House, No. 4977), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pembroke,—  
benefits.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 2, by inserting after the word “contrary” the words “, and in order to promote the public good”.

The amendment was adopted; and the bill (House, No. 4977, amended) was passed to be engrossed. Sent to the Senate for concurrence.

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Pursuant to assignment, at three minutes past twelve o’clock noon, the two Houses met in

Joint Session of  
the two branches.

#### JOINT SESSION.

and were called to order by the Honorable Karen E. Spilka, President of the Senate.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Mr. Tarr, at four minutes past twelve o’clock noon, the convention of the two branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

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At seven minutes after twelve o’clock noon, the House reconvened with Mr. Donato of Medford in the Chair.

Called  
to order.

#### *Recess.*

At twenty-one minutes after twelve o’clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nineteen minutes before four o’clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

#### *Papers from the Senate.*

The Senate amendment of the House Bill providing for equitable coverage in disability policies (House, No. 482, amended), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1 inserting after the word

Disability  
policies.



“premium” (as amended by the House) the following: “for a group or individual disability contract issued or delivered in the commonwealth to 1 or more residents of the commonwealth”; and in section 2 striking out the figures: “2019” (as amended by the House) and inserting in place thereof the figures: “2020”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn; and they were adopted, in concurrence.

The House Bill relative to state contracting (House, No. 4851), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2697. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment was correctly drawn; and it was adopted, in concurrence.

State  
contracting.

The House Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 5024), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2702. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Flame  
retardants.

#### Bills

Establishing a sick leave bank for Mary Faulkner, an employee of the Department of Correction (Senate, No. 2212) (on a petition); and

Mary Faulkner,—  
sick leave.

Establishing a sick leave bank for Cheryl Ann Gracia, an employee of the Trial Court (Senate, No. 2683) (on a petition);

Cheryl Ann  
Gracia.

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.

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

Under suspension of the rules, on motion of Ms. Peake of Provincetown, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Subsequently under further suspension of the rules, on motion of the same member, the bills (having been 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.

#### Bills

Establishing a sick leave bank for Chung Tam, an employee of the Massachusetts Department of Transportation (Senate, No. 2654) (on a petition);

Chung Tam,—  
sick leave.

Establishing a sick leave bank for Roberta Keeping, an employee of the Massachusetts Department of Transportation (Senate, No. 2655) (on a petition);

Roberta  
Keeping.

Establishing a sick leave bank for Joy Cochran, an employee of the Department of Children and Families (Senate, No. 2694) (on a petition);

Joy Cochran,—  
sick leave.

Establishing a sick leave bank for Tiffany Gibb, an employee at Tewksbury State Hospital (Senate, No. 2695) (on a petition); and

Tiffany Gibb,—  
sick leave.

Authorizing certain officials in the town of Hull to issue 1-day licenses for the sale of alcoholic beverages and common victualler and entertainment licenses (Senate, No. 2700) (on Senate bill No. 2566) [Local Approval Received];

Hull,—  
licenses.

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.

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

Under suspension of the rules, on motion of Ms. Peake of Provincetown, the bills severally were read a second time forthwith; and they were ordered to a third reading.

#### *Reports of Committees.*

Mr. Sánchez of Boston, for the committee on Ways and Means, reported that the Senate Bill to relative to financial literacy in schools (Senate, No. 2374), 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 5030. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Financial literacy.

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

Under suspension of the Rule 7A, on motion of Ms. Peake of Provincetown, 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. 2374, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Khan of Newton, the bill (having been 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 in the House amendment.

#### *Emergency Measures.*

The engrossed Bill relative to the prescription monitoring program (see House, No. 4938, 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.

Prescription monitoring program.

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 8 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

The engrossed Bill establishing a sick leave bank for John Taylor Woodward, an employee of the Hampshire County Sheriff's Department (see House, No. 4957, 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.

John Taylor Woodward,— 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 8 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

The engrossed Bill establishing a sick leave bank for James Condon, an employee of the Department of Mental Health (see Senate, No. 2672), 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.

James  
Condon,—  
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 7 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; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Maria Krull, an employee of the Department of Transitional Assistance (see Senate, No. 2680, 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.

Maria  
Krull,—  
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 7 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; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Zelpha Bennett, an employee of the Executive Office for Administration and Finance (see House, No. 4119), 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.

Zelpha  
Bennett,—  
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 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.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (see House, No. 4424), 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.

George  
Hodgdon,—  
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 5 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.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Carol Poladian, an employee of the Public Employee Retirement Administration Commission (see House, No. 4653), 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.

Carol  
Poladian,—  
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 4 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.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Elizabeth Kendall, an employee of the Department of Developmental Services (see House, No. 4734), 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 4 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.

Elizabeth  
Kendall,—  
sick leave.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Lori Convey, an employee of the Department of Correction (see House, No. 4902), 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 4 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.

Lori  
Convey,—  
sick leave.

Bill  
enacted.

The engrossed Bill establishing a sick bank for Yin Yu-Wong, an employee of the Massachusetts Rehabilitation Commission (see House, No. 4943, 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 4 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.

Yin Yu-  
Wong,—  
sick leave.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Lawrence Jordan, an employee of the Department of Transportation (see House, No. 4944), 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 4 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.

Lawrence  
Jordan,—  
sick leave.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Charde Christophe (see

Charde

House, No. 4954), 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.

Christophe,—  
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 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.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Peter Hayes, an employee of the Department of Children and Families (see House, No. 4968), 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.

Peter  
Hayes,—  
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 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.

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Aaron Nyahn, an employee of the Department of Public Health (see House, No. 4991), 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.

Aaron  
Nyahn,—  
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 8 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.

Bill  
enacted.

The engrossed Bill relative to background checks by the Department of Youth Services (see House, No. 5008), 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.

Youth  
services,—  
background  
checks.

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 8 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.

Bill  
enacted.

### *Engrossed Bills and Resolve.*

#### Engrossed bills

Relative to the membership of the Millbury Redevelopment Authority (see House, No. 1101, amended); and

Bills  
re-enacted.

Authorizing the town of Dracut to grant 4 additional licenses for the sale of alcoholic beverages to be drunk on the premises (see House, No. 3754, 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 re-enacted, in their amended form; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Providing for continuing education credits flexibility (see House, No. 19);

Relative to counterfeit airbag prohibition (see House, No. 4051);

Amending the membership of the Massachusetts Port Authority community advisory committee (see House, No. 4101, amended); and

Providing for equitable relief from liability for joint filers of tax returns (see House, No. 4942);

(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.

Bills enacted.

The engrossed Resolve reviving and further continuing the special commission established to investigate and report on the preservation of Polish culture and history in the Pioneer Valley (see House, No. 4922) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate

Pioneer Valley,— Polish culture.

*Orders of the Day.*

The Senate further amendment to the House amendment of the engrossed Bill relative to consumer protection from security breaches (see House, No. 4806, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Security breaches.

Mr. Chan of Quincy moved that the House concur with the Senate in its further amendment with still further amendments striking out section 3 (inserted by further amendment by the Senate) and inserting in place thereof the following section:

“SECTION 3. Said chapter 93 is hereby further amended by inserting after section 51A the following section:—

Section 51B. This section shall not apply to users who acquire from consumer reporting agencies a consumer report pursuant to section 51 and 15 U.S.C. section 1681b.

A user shall not obtain, use or seek the consumer report of a consumer unless the user: (i) obtains the prior written, verbal or electronic consent of the consumer, as is appropriate for the manner in which the transaction or extension of credit was negotiated or entered into; and (ii) discloses, prior to obtaining the consumer’s consent, the user’s reason for accessing the consumer report to the consumer.

Nothing shall prohibit a user who has already secured the consent of the consumer, or an investor or potential investor of an existing credit obligation, from obtaining a consumer report in connection with: (i) the same transaction; (ii) reviewing an existing account; (iii) increasing the credit line on an existing account; (iv) taking collection action on an existing account; (v) providing products and services or offering of products and services to an existing consumer’s account.

A user shall not require or request that a consumer waive this section and any such waiver shall be void. Failure to comply with this section shall constitute an

unfair practice under clause (a) of section 2 of chapter 93A.

Notwithstanding the restrictions of this section, the department of children and families shall be permitted to obtain a consumer report for any child in the department's custody who is 14 years of age or older without obtaining the consent of the child or disclosing to the child the department's reason for accessing the consumer report in order to fulfill the department's obligations pursuant to 42 U.S.C. 675(5)(I), Public Law 113-183 and section 52A, or any other similar requirement of federal or state law.

The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”;

In section 10 (inserted by further amendment by the Senate) by adding the following:

“(f) The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”; and

In section 11 (inserted by further amendment by the Senate) by adding the following:

“(c) The department of consumer affairs and business regulation may promulgate regulations interpreting and applying this section.”.

The still further amendments were adopted.

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

The Senate Bill relative to the provision of group health insurance benefits in the town of Athol (Senate, No. 1418), 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.

Athol,—  
benefits.

#### *Recess.*

At thirteen minutes after five o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at a quarter after six o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

#### *Engrossed Bills.*

##### Engrossed bills

Relative to the retirement benefits of Sean M. Gannon, a fallen police officer in the town of Yarmouth (see House bill printed in House, No. 4982, amended); and

Relative to the disability retirement of Christopher Van Ness, a police officer in the town of Yarmouth (see House bill printed in House, No. 4983, 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 (more than two-thirds of the members having agreed to pass the same); and they were signed by the acting Speaker and sent to the Senate.

Bills  
enacted.

#### *Recess.*

At sixteen minutes after six o'clock P.M., on motion of Mr. Hill of Ipswich

Recess.

(Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at one minute after eight o'clock P.M., the House was called to order with Mr. Donato in the Chair.

*Suspension of Rule 1A.*

The Chair (Mr. Donato of Medford) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.; and, there being no objection, Rule 1A was suspended.

Suspension of Rule 1A.

*Emergency Measures.*

The engrossed Bill establishing a sick leave bank for Cheryl Ann Gracia, an employee of the Trial Court (see Senate, No. 2683), 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.

Cheryl Ann Gracia,— 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.

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

Bill enacted.

The engrossed Bill relative to principle-based reserving for life insurance (see House, No. 2969, 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.

Life insurance,— reserving.

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.

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.

Bill enacted.

The engrossed Bill designating the state pool for children in the town of Clinton as the Liberty M. Arnold-Simon memorial children's pool (see House, No. 4994), 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.

Clinton,— pool.

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.

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.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Matthew Clark, an employee of the Trial Court (see House, No. 5020), 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.

Matthew Clark,— 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.

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.

Bill enacted.

The engrossed Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 5009, 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.

Supplemental budget.

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 Bills and Resolves.*

The engrossed Bill relative to consumer protection from security breaches (see House, No. 4806, 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

Engrossed bills

Authorizing the town of Hanover to grant abatement of real estate taxes to a certain surviving spouse (see House bill printed in House, No. 4955, amended); and

Bills enacted.

Relative to a certain license for the sale of wines and malt beverages in town of Wareham (see House bill printed in House, No. 4958, 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 (more than two-thirds of the members having agreed to pass the same); and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Relative to the provision of group health insurance benefits in the town of Athol (see Senate, No. 1418);

Id.

Providing for the licensing of certain motor vehicle inspection stations (see Senate, No. 2261, amended);

Further regulating the membership of the licensing commission and board of election commissioners of the city of Somerville (see Senate, No. 2294, amended);

Relative to educational collaboratives (see Senate, No. 2330, amended);

Honoring Rosa Parks on all Massachusetts Bay Transportation Authority buses (see Senate, No. 2410, amended);

Authorizing the appointment of special police officers in the city of New Bedford (see Senate, No. 2671, amended);

(Which severally originated in the Senate);

Relative to regional schools (see House, No. 271);

Providing for equitable coverage in disability policies (see House, No. 482,

amended);

Dissolving the Redevelopment Authority in the town of Ashland (see House, No. 3875);

Relative to tax titles in the town of East Bridgewater (see House, No. 4064);

Relative to a certain residential property tax exemption for seniors in the town of Harwich (see House, No. 4437, amended);

Relative to health insurance in the town of Huntington (see House, No. 4570);

Relative to the appointment of retired police officers in the town of Stoneham (see House, No. 4581, amended);

Providing for the renaming of the board of selectmen to select board in the town of Stoneham (see House, No. 4629);

Authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (see House, No. 4663, amended);

Relative to excise tax revenue for Chatham's other post-employment benefits liability trust fund (see House, No. 4781);

Authorizing the town of Stoneham to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4804, amended);

Relative to state contracting (see House, No. 4851, amended);

Authorizing the Martha's Vineyard Regional High School District to lease a certain parcel of land to Martha's Vineyard Community Services, Inc. for a term of up to 99 years (see House, No. 4925);

Relative to the board of assessors in the town of Harvard (see House, No. 4947);

Establishing a board of selectmen-town administrator form of government for the town of Berlin (see House, No. 4952);

Authorizing the town of Harwich to issue 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4956);

Relative to elections for fire district number 1 in the town of South Hadley (see House, No. 4964);

Allowing employees of the Western Massachusetts Emergency Communications District to become members of the Hampden County Retirement System (see House, No. 4967);

Relative to health insurance benefits for certain retirees in the town of Pembroke (see House, No. 4977, amended);

Authorizing the town of Harvard to establish a cap on property taxes for means tested seniors (see House, No. 4984);

Relative to the town manager of the town of Upton (see House, No. 4989);

Relative to the removal of certain elected financial officials for the town of Sherborn (see House, No. 4996);

Relative to the board of selectmen of the town of Cheshire (see House, No. 5003);

Authorizing the Norfolk County retirement system to grant creditable service to Gary M. Premo (see House, No. 5012);

Authorizing the town of Ashland to establish a special revenue fund for an economic development funding program (see House, No. 5014); and

Providing for increased retirement benefits for firefighter Scott Holt of the town of Littleton (see House, No. 5016);

(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.

The engrossed Resolve establishing an agricultural tourism study commission (see House, No. 4962, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate

Resolve passed.

*Recess.*

At ten minutes before ten o'clock P.M. (Monday, December 31, 2018), on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.