
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JANUARY 13, 2020.

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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.

Resolutions.

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

Resolutions (filed by Mr. Jones of North Reading) congratulating Jon Bernard on the occasion of his retirement as Superintendent of Schools in the town of North Reading after a thirty-three year career in public education;

Jon
Bernard.

Resolutions (filed by Ms. Hogan of Stow) congratulating Andrew James Adiletta on achieving the rank of Eagle Scout with the Boy Scouts of America; and

Andrew
Adiletta.

Resolutions (filed by Ms. Hogan of Stow) congratulating Jack Thomas Adiletta on achieving the rank of Eagle Scout with the Boy Scouts of America;

Jack
Adiletta.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Hogan, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Initiative Petition.

Initiative petition of Kathleen A. DelSordo and others for the passage of An Act establishing adequate funding for residents of Massachusetts nursing homes (House, No. 4304) (received on January 3, 2020, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Elder Affairs. Sent to the Senate for concurrence.

Nursing
homes,—
funding.

Petition.

Messrs. Jones of North Reading and Haggerty of Woburn presented a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Richard M. Haggerty and others for legislation to authorize the Registry of Motor Vehicles to issue distinctive registration plates for Medal of Liberty recipients; and the same was referred, under Rule 24, to the committee on Rules.

Medal of
Liberty,—
license
plate.

Papers from the Senate.

The Senate Bill authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 143, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out section 1 and inserting in place thereof the following section:

Webster,—
liquor
license.

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the local licensing authority of the town of Webster may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of chapter 138 to Waterfront Mary’s I, LLC located at 103 Birch Island road in the town of Webster. The license shall be subject to all of said chapter 138 except said section 17.”), with a further amendment striking out section 1 (inserted by amendment by the House) and inserting in place thereof the following:

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Webster may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Waterfront Mary’s I, LLC located at 103 Birch Island road in the town of Webster. The license shall be subject to all of said chapter 138 except said section 17.

(b) Upon the issuance of the license granted pursuant to this act, Waterfront Mary’s I, LLC shall return the seasonal license that it currently holds for the sale of all alcoholic beverages to be drunk on the premises to the licensing authority.

(c) The licensing authority shall not approve the transfer of the license granted pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(d) If a licensee terminates or fails to renew a license granted under this section or any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

(e) The license granted pursuant to this act shall be issued within 1 year after the effective date of this act; provided, however, that if the license is originally granted within that time period, it may be granted to a new applicant pursuant to subsection (c) or (d) anytime thereafter.”.

The Senate further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the further amendment (reported by said committee to be correctly drawn) was adopted, in concurrence.

A Bill establishing a sick leave bank for Aurora Wilber, an employee of the Massachusetts Commission for the Deaf and Hard of Hearing (Senate, No. 2437, amended in section 1, in line 5, by inserting after the following: “Wilber.” the following sentence: “Upon exhaustion of all other available leave time, including personal days, vacation days, sick time and any time available pursuant to the extended illness leave bank established by section 4P of chapter 7 of the General

Aurora
Wilber,—
sick leave.

Laws, Aurora Wilber shall be permitted to use any time credited to the sick leave bank established by this act.”; 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 forthwith a sick leave bank for a certain employee of the Massachusetts commission for the deaf and hard of hearing, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2458) of Paul R. Feeney and others (by vote of the town) for legislation to amend the charter for the town of Walpole, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Walpole,—
charter.

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

Petition (accompanied by bill, Senate, No. 2465) of Joanne M. Comerford for legislation to quantify the SPED gap by comparing actual special education costs to current special education assistance. To the committee on Education.

Special
education,—
costs.

Petition (accompanied by bill, Senate, No. 2464) of William N. Brownsberger and Walter F. Timilty for legislation to modernize property tax abatements for veterans. To the committee on Revenue.

Veterans,—
property
taxes.

Reports of Committees.

By Ms. Peisch of Wellesley, for the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 516) of Jack Patrick Lewis and others relative to student identification cards,— and recommending that the same be referred to the committee on Mental Health, Substance Use and Recovery. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Students,—
identification
cards.

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

Relative to accessory dwelling units (House, No. 1277);

Dwelling units.

Relative to death benefits to surviving spouses of call and volunteer firefighters (House, No. 2264); and

Firefighters,—
death benefits.

Allowing additional compensation of an assistant municipal collector or assistant treasurer upon certification (House, No. 2352);

Collectors
and treasurers.

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

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill providing for the establishment of sustainable water resource funds (House, No. 1781), be scheduled for consideration by the House.

Water
infrastructure.

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the Bill further regulating the assisted living advisory council (House, No. 608), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Assisted living council.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to facilitate and simplify grant application procedures for family farms (House, No. 801).

Family farms.

By Mr. Murphy of Weymouth, for the committee on Financial Services, on House, No. 1060, a Bill modernizing the credit union laws (House, No. 4290).

Credit unions.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill regarding mandatory land use board training (House, No. 1802).

Land use board.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the county of Dukes County to borrow funds to pay costs of acquiring land, constructing buildings and other facilities as the county shall require, making capital improvements to county facilities, acquiring items of capital equipment, and for the payment of all other costs incidental and related thereto (House, No. 4094).

Dukes County,—land.

By the same member, for the same committee, on a petition, a Bill changing the position of treasurer in the county of Dukes County to an appointed position (House, No. 4095).

Dukes County,—treasurer.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Springfield to convert the use of park land at DeBerry Park for a new DeBerry and Homer Street Elementary School and to replace it with additional park land in the city of Springfield (House, No. 4277) [Local Approval Received].

Springfield,—land.

By the same member, for the same committee, on a joint petition, a Bill relative to the town treasurer, town tax collector, and town clerk of the town of Chester (House, No. 4283) [Local Approval Received].

Chester,—town officials.

By the same member, for the same committee, on House, No. 1792, a Bill authorizing cities and towns to establish reduced maximum tow rates and parking fines during certain declared emergencies (House, No. 4289).

Towing and parking,—rates.

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

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

Relative to accessory dwelling units (House, No. 1250);

Dwelling units.

Authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails (House, No. 1790);

Rail trails.

Eliminate the MGL30B exemption for solid waste, recycling, etc. [sic] (House, No. 2755); and

Waste and recycling.

Relative to landscape sprinkler systems (House, No. 2785);

Sprinklers.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following bills be scheduled for consideration by the House:

Senate bills

Exempting Paul Jacques from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover (Senate, No. 2265) [Local Approval Received];

North
Andover,—
Paul Jacques.

Authorizing the city council of the city of Somerville to appoint a clerk of committees and assistant clerks of committees (Senate, No. 2307) [Local Approval Received]; and

Somerville,—
clerks.

Authorizing the town of Andover to convey a portion of a certain parcel of land (Senate, No. 2326) [Local Approval Received]; and

Andover,—
land.

House bills

To improve the local infrastructure development program (House, No. 1759);

Infrastructure.

Supporting affordable housing with a local option for a fee to be applied to certain real estate transactions (House, No. 1769);

Affordable
housing.

Relative to regional stabilization funds (House, No. 1782);

Regional schools.

Relative to authorizing governmental bodies and other approved parties to use shared legal representation and consultants in matters of common interest (House, No. 1821);

Shared
legal
counsel.

Relative to assessor certificates (House, No. 1826);

Assessors.

Supporting municipal fiscal stability through a special education stabilization fund (House, No. 1827);

Special
education.

Relative to the maintenance of private roads, beaches and amenities in municipalities (House, No. 1829);

Private
roads, etc.

Protecting information relating to the religious affiliation of an individual (House, No. 2704);

Religious
affiliations.

Making amendments to the Massachusetts Business Corporation Act (House, No. 2780);

Business
corporations.

Relating to the public records law (House, No. 2783);

Public records.

To historic route designations [sic] (House, No. 3047);

Historic routes.

Designating a certain bridge in the city of Gardner as the Cpl. Lawrence L. Lukasevicius memorial bridge (House, No. 3191); and

Gardner,—
bridge.

City of Chelsea Affordable Housing Trust Fund Board [sic] (House, No. 4155) [Local Approval Received];

Chelsea,—
board.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Rosa Santos, an employee of the Department of Children and Families (see House, No. 4005), 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.

Rosa
Santos,—
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 establishing a sick leave bank for Shannon Ondras, an employee of the Trial Court of the Commonwealth (see House, No. 4237), 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.

Shannon
Ondras,—
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.

Orders of the Day.

The Senate amendment of the House Bill amending the charter of the town of Yarmouth (House, No. 3680), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Yarmouth,—
charter.

House bills

Designating a certain pavilion shelter on the Esplanade in the city of Boston as the Priebatsch pavilion (House, No. 4124); and

Renaming of the board of selectmen in the town of West Boylston (House, No. 4214) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Third
reading
bills.

The House Bill designating a park at the crest of Winthrop Beach as the Richard Honan park (House, No. 4216), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Winthrop,—
Honan park.

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

“The waterfront park built as part of the Winthrop shore drive improvement project at the northern end of Winthrop Beach adjacent to 120 Crest avenue in the town of Winthrop shall be designated and known as the Richard Honan Park, in honor of Richard Honan in recognition of his many contributions to the town of Winthrop. The department of conservation and recreation shall erect and maintain a suitable marker bearing that designation in compliance with the standards of the department.”

The amendment was adopted; and the bill (House, No. 4216, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Muradian of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-two minutes after two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Paper from the Senate.

The Senate Bill extending simulcasting and horse racing authorization (Senate, No. 2308), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4287) with further amendments in sections 1 to 17, inclusive, striking out the following: "December 1" (inserted by amendment by the House), each time it appears, and inserting in place thereof, in each instance, the following: "June 12".

Simulcasting.

The Senate further amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the further amendments (reported by said committee to be correctly drawn) were considered.

Mr. Chan of Quincy then moved that the House concur with the Senate in its further amendments with still further amendments in sections 1 to 17, inclusive, by striking out the following: "June 12" (inserted by amendment by the Senate), each time it appears, and inserting in place thereof, in each instance, the following: "July 1".

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

Engrossed Bills.

Engrossed bills

Authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 143, amended) (which originated in the Senate);

Bills enacted.

Amending the charter of the town of Yarmouth (see House, No. 3680); and

Providing for the funding of the other post-employment benefits liability trust fund of the town of Uxbridge (see House, No. 4097);

(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 twenty-seven minutes after two o'clock P.M., on motion of Mr. Muradian of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-seven minutes after four o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill extending simulcasting and horse racing authorization (Senate, No. 2308, 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.

Simulcasting.

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 2 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.

Engrossed Bill.

The engrossed Bill authorizing the town of Burlington to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3676, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next
sitting.

At twenty-four minutes before five o'clock P.M., on motion of Mr. Muradian of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.