
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JANUARY 21, 2020.

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JOURNAL OF THE HOUSE.

Tuesday, January 21, 2020.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Haggerty of Woburn 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. Haggerty), 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. Donato of Medford) recognizing the Certified Registered Nurse Anesthetists and their important role in providing healthcare to the public;

Nurse
anesthetists.

Resolutions (filed by Ms. Barber of Somerville and other members of the House) recognizing the multidimensional aspects of poverty; and

Poverty.

Resolutions (filed by Mr. Whelan of Brewster) congratulating James Butcher on the occasion of his retirement after thirty-eight years of dedicated service to the field of public safety;

James
Butcher.

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. Gifford of Wareham, 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 Capital Debt Affordability Committee of the Executive Office for Administration and Finance (see Section 60B(f) of Chapter 29 of the General Laws) submitting the committee's estimate of the total amount of new Commonwealth debt that may be prudently authorized for the next fiscal year;

Capital
debt.

From the Department of Veterans' Services (see Section 12 of Chapter 115A of the General Laws) submitting its report on the state of the Commonwealth's two Soldiers' Homes [copies of said report were forwarded to the joint committees on Veterans and Federal Affairs, Public Health and Housing, as required by said law];

Soldiers'
homes.

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;

Essex District
Attorney,—
transfer.

From the Executive Office of Public Safety and Security (see Section 61 of Chapter 55 of the Acts of 2017) submitting a report on a statewide system and procedures for civil citations;
Severally were placed on file.

Civil citations.

Annual Reports.

The annual report of the Public Employee Retirement Administration Commission (under sections 21, 102 and 103 of Chapter 32 of the General Laws) relative to the per centum change in the average cost-of-living as shown by the United States consumer price index for the year 2019 compared with such index for the year 2018 (House, No. 4316), was referred to the committee on Public Service. Sent to the Senate for concurrence.

Cost-of-living adjustment,—retirees.

Annual reports

Of the Office of the Comptroller (under Section 12(a) of Chapter 7A of the General Laws) submitting the Statutory Basis Financial Report for the fiscal year 2019;

Statutory Basis Financial Report.

Of the District Attorney of Worcester County (under Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2019;

Worcester District Attorney,—wiretaps.

Of the Massachusetts Housing and Shelter Alliance (under item 7004-0104 of Chapter 41 of the Acts of 2019) submitting an updated report on the number of people served, the average cost per participant, the demographics of those served, residential stability, and projected cost-savings in state-funded programs;
Severally were placed on file.

Housing and Shelter Alliance.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Murray of Milford, a petition (accompanied by bill, House, No. 4318) of Brian W. Murray (by vote of the town) that the town of Milford be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premise. To the committee on Consumer Protection and Professional Licensure.

Milford,—liquor license.

By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 4319) of Carolyn C. Dykema (by vote of the town) that the town of Hopkinton be authorized to remove certain land in said town from a conservation restriction. To the committee on Municipalities and Regional Government.

Hopkinton,—land.

By Mr. Murray of Milford, a petition (accompanied by bill, House, No. 4320) of Brian W. Murray (by vote of the town) relative to the hiring of a chief of police in the town of Milford. To the committee on Public Service.

Milford,—police chief.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The following order, having been adopted by the Senate, was considered forthwith; and it was adopted, in concurrence.

Ordered, That a convention of the two branches be held at a quarter past six o'clock P.M., on Tuesday, January 21, 2020, for the purpose of receiving such

State of the State address.

communication as the Governor, Charles D. Baker may be pleased to make to them relating to the concerns of the Commonwealth.

A Bill exempting all positions in the police department of the town of Rockport from the civil service law (Senate, No. 2360) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Rockport,—
civil service.

A report of the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 250) of Joanne M. Comerford, Jack Patrick Lewis, Julian Cyr, Mindy Domb and other members of the General Court for legislation to add a suicide prevention hotline number on student identification cards,— and recommending that the same be referred to the committee on Mental Health, Substance Use and Recovery; and

Students,—
suicide
prevention.

A report of the committee on Higher Education, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2431) of Paul R. Feeney, Bruce E. Tarr and Harold P. Naughton, Jr., for legislation to ensure the safety of students, faculty and staff on the campuses of state colleges, community colleges and state universities,— and recommending that the same be referred to the committee on Public Safety and Homeland Security.

State higher
education,—
firearms.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

A report of the committee on Revenue, on a report of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) submitting its forty-second annual report (Senate, No. 2182), recommending that it be placed on file, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Capital
Resource
Company,—
report.

A petition (accompanied by bill, Senate, No. 2468) of Eric P. Lesser and Brian M. Ashe (by vote of the town) for legislation to revoke the town of Longmeadow's acceptance of a certain general law establishing a board of election commissioners, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Longmeadow,—
election
commissioners.

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

Petition (accompanied by bill, Senate, No. 2471) of Patrick M. O'Connor and Joan Meschino for legislation relative to youth voter engagement. To the committee on Election Laws.

Voting,—
youth.

Petition (accompanied by bill, Senate, No. 2472) of Michael J. Rodrigues for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey an easement in certain land in the city of Fall River. To the committee on State Administration and Regulatory Oversight.

Fall River,—
land.

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:

<p>Petition (accompanied by bill) of Andres X. Vargas and others for legislation to establish a durable medical equipment board within the Board of Registration in Pharmacy. To the committee on Consumer Protection and Professional Licensure.</p>	<p>Durable medical equipment board.</p>
<p>Petition (accompanied by bill) of Aaron Vega, Christine P. Barber and others for the issuance of an annual proclamation by the Governor setting apart the month of April as Sikh appreciation month and to designate November 12 as world equality day. To the committee on State Administration and Regulatory Oversight.</p>	<p>Sikh month and world equality day.</p>
<p>Petition (accompanied by bill) 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. To the committee on Transportation.</p>	<p>Medal of Liberty,— license plate.</p>
<p>Under suspension of the rules, on motion of Ms. Gifford of Wareham, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill to establish standards for medical gas piping systems (House, No. 278).</p>	<p>Medical gas piping systems.</p>
<p>By the same member, for the same committee, on Senate, Nos. 139 and 151 and House, Nos. 236 and 276, a Bill to provide increased access to hearing aids (House, No. 4298).</p>	<p>Hearing aids,— access.</p>
<p>Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 140 and House, No. 231, a Bill relative to partial payment (House, No. 4299).</p>	<p>Partial payment.</p>
<p>By the same member, for the same committee, on House, No. 40 and on a part of House, No. 27, a Bill relative to Keno licenses (House, No. 4305).</p>	<p>Keno licenses.</p>
<p>By the same member, for the same committee, on House, No. 199, a Bill relative to refrigeration technicians (House, No. 4306).</p>	<p>Refrigeration technicians.</p>
<p>By the same member, for the same committee, on House, No. 310, a Bill providing for refrigeration apprentice licenses (House, No. 4309).</p>	<p>Refrigeration apprentices.</p>
<p>By the same member, for the same committee, on House, No. 805, a Bill relative to regulating the septic industry (House, No. 4311).</p>	<p>Septic industry.</p>
<p>By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill creating a multi-family housing incentive pilot program (House, No. 1788).</p>	<p>Multi-family housing.</p>
<p>By the same member, for the same committee, on a petition, a Bill facilitating local approval of inclusionary zoning (House, No. 3883).</p>	<p>Inclusionary zoning.</p>
<p>Severally read; and referred, under Rule 33, to the committee on Ways and Means.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 127 and House, Nos. 38, 202 and on a part of House, No. 27, a Bill modernizing Lottery payment options (House, No. 202).</p>	<p>Lottery payments.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to the direct wine shipper license (House, No. 210).</p>	<p>Wine shipper licenses.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to license suspensions (House, No. 260).</p>	<p>Licenses,— suspensions.</p>

<p>By the same member, for the same committee, on Senate, No. 99 and House, No. 308, a Bill relative to the proper bonding and grounding of CSST (House, No. 4297).</p>	<p>Piping,— inspection.</p>
<p>By the same member, for the same committee, on House, No. 39 and on a part of House, No. 27, a Bill relative to Lottery compliance investigations (House, No. 4300).</p>	<p>Lottery compliance.</p>
<p>By the same member, for the same committee, on House, No. 220, a Bill relative to negative equity (House, No. 4307).</p>	<p>Negative equity.</p>
<p>By the same member, for the same committee, on House, No. 277, a Bill creating a maximum allowable check-cashing rate (House, No. 4308).</p>	<p>Check- cashing rates.</p>
<p>By the same member, for the same committee, on House, No. 356, a Bill relative to updating the used car law (House, No. 4310).</p>	<p>Used cars.</p>
<p>By the same member, for the same committee, on House, No. 4060, a Bill authorizing the town of Hanover to grant 13 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4312) [Local Approval Received].</p>	<p>Hanover,— liquor licenses.</p>
<p>By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill promoting cluster residential development (House, No. 1761).</p>	<p>Zoning,— ordinances.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to zoning voting thresholds (House, No. 1764).</p>	<p>Voting,— changes.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to municipal form based codes (House, No. 1768).</p>	<p>Municipal codes.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to public hearing notification for variances from the terms of the applicable zoning ordinance or by-law (House, No. 1778).</p>	<p>Zoning,— notification.</p>
<p>Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.</p>	

Engrossed Bills.

<p>Engrossed bills</p> <p>Authorizing certain investments by the treasurer of the town of Cohasset (see Senate, No. 2230, amended); and</p> <p>Regulating town meeting warrants in the town of Wareham (see Senate, No. 2283);</p> <p>(Which severally originated in the Senate);</p> <p>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.</p>	<p>Bills enacted.</p>
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Orders of the Day.

<p>Senate bills</p> <p>Authorizing the town of North Andover to grant an additional liquor license (Senate, No. 2353); and</p> <p>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);</p> <p>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.</p>	<p>Third reading bills.</p>
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The Senate Bill authorizing the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements (Senate, No. 1971, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Southern
Worcester
County
school district.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4317.

The amendment was adopted; and the bill (Senate, No. 1971, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Recess.

At sixteen minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Haggerty of Woburn being in the Chair), the House recessed until the hour of six o'clock P.M.; and at twenty-one minutes after six o'clock, the House was called to order with the Speaker in the Chair.

Recess.

Pursuant to assignment, at twenty-five minutes past six o'clock P.M., the two branches met in

JOINT SESSION.

In the Chamber of the House of Representatives, for the purpose of receiving such communication as His Excellency, Charles D. Baker, Governor of the Commonwealth, may be pleased to make relative to the concerns of the Commonwealth; and were called to order by the Honorable Karen E. Spilka, President of the Senate.

Joint Session
of the two
branches.

Order Adopted.

On motion of Mr. Rush,—

Ordered, That a committee be appointed to consist of members of the Senate and House of Representatives to wait upon Her Honor the Lieutenant-Governor, the Constitutional Officers, members of the Executive Council and other distinguished guests of the Governor and inform them that the two branches are now in Convention and request the honor of their presence.

Notification of
Lieutenant-
Governor and
others.

Senators Hinds, Lewis, Gobi, Keenan and O'Connor were appointed on the part of the Senate; and Representatives McMurtry of Dedham, Poirier of North Attleborough, Frost of Auburn, Ferguson of Holden, Kane of Shrewsbury, Whipps of Athol, Vincent of Revere, Honan of Boston and Fiola of Fall River, were appointed on the part of the House.

Subsequently, Mr. Hinds, for the committee, reported that Her Honor, Karyn Polito, the Lieutenant-Governor, the Constitutional officers, members of the

Executive Council, members of the Supreme Judicial Court and distinguished guests would immediately attend upon the convention.

Shortly thereafter, Her Honor the Lieutenant-Governor, Karyn Polito, the Constitutional officers, members of the Executive Council, members of the Supreme Judicial Court and distinguished guests entered the Chamber under the escort of the Sergeant at-Arms.

Invocation.

The President then introduced the Reverend Dr. Conley Hughes, Jr. of the Concord Baptist Church of Boston, who delivered the following Invocation:

Invocation.

Let us pray. Oh Lord our God. For your grace and divine blessings. We are thankful to you for giving us the Governor, to exercise executive authority and stewardship of the Commonwealth of Massachusetts. Even now we acknowledge your presence that permeates this hallowed space we share. As we gather here this evening, we can hear the voices, although faintly, of the men and women, who worked tirelessly to define and shape our Commonwealth into a place where people of all languages, ethnicities and heritage, could stand on common ground in respecting the dignity and work of all people. We invoke your presence in this Chamber for our esteemed 72nd Governor, his Excellency Charles Dwayne Baker, who is keenly aware that the work of justice, fairness and the development of a more perfect Commonwealth is the continuing task before us. We thank you for the strength, vision and compassion of our Governor, for his resilience and resolve and determination to give fully of himself to meet the needs of all of the citizens of this Commonwealth. We beseech you Oh God to give our Governor wisdom, insight and courage as he proposes legislation and programs to lead this Commonwealth in this third decade of the millennium 2000. And as he continues to cast the vision for all of the citizens and residents of each of the 351 cities and towns. The voice Oh God, of John Hancock, the first colonial Governor of Massachusetts, has similar to, to the thoughts of our Governor. When Hancock said "Continue steadfast and, with a proper sense of your dependence on God, nobly demand those rights which heaven gave, and no one ought to take from us." Continue to give our Governor a listening ear, a discerning mind and a compassionate spirit for the work ahead. The voice of the apostle of peace and non violence, Dr. Martin Luther King, Jr., can still be heard echoing through the walls of this hallowed place when he, in addressing the great and honorable court 55 years ago in concluding his address said, "I still have faith in America and I still have a deep belief that we will solve our problems, teach us to imbue the love for freedom, justice and faith in our democracy exemplified in the lives of great men and women who have and continue to serve in these honorable halls." Teach us Oh God to love our Commonwealth, pray unceasingly for our Governor, Lt. Governor, their Cabinet, the Legislature, Judiciary and all citizens and residents of Massachusetts that we may reflect what it is to live in a Commonwealth indivisible with liberty and justice for all. For yours is the kingdom, the power, and the glory forever. Amen.

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That a committee be appointed to consist of members of the Senate and House of Representatives to wait upon His Excellency the Governor and inform him

Notification
of Governor.

that the two branches are now in Convention for the purpose of receiving such communication as he may be pleased to make to them relating to the concerns of the Commonwealth.

Senators Boncore, Lovely, Moore, Rausch, Timilty and Fattman, were appointed on the part of the Senate; and Representatives Wagner of Chicopee, Jones of North Reading, Santiago of Boston, Hogan of Stow, Orrall of Lakeville, Cullinane of Boston and Biele of Boston, were appointed on the part of the House.

Subsequently, Mr. Boncore, for the committee, reported that His Excellency the Governor, Charles D. Baker would immediately attend upon the convention.

Pledge of Allegiance.

The President then introduced members of the Gold Star mothers and wives of Massachusetts, who led the convention in the pledge of allegiance to the flag.

Pledge of
allegiance.

Shortly thereafter, His Excellency the Governor, Charles D. Baker, entered the Chamber under the escort of the Sergeant-at-Arms.

The President then introduced His Excellency the Governor, Charles D. Baker, who thereupon addressed the Convention relative to the concerns of the Commonwealth (Senate, No. 2474).

State of the
Commonwealth
address.

The President in the Chair, then introduced the University of Massachusetts Lowell Chamber Singers who performed Unclouded Day.

UMass Lowell,—
Chamber Singers.

Benediction.

The President then introduced Reverend Liz Walker of the Roxbury Presbyterian Church, who gave the following Benediction:

Benediction.

God of endurance and encouragement,

Grant that we your people will find a way to live in harmony, to truly become members of each other, regardless of ethnicity, race, class, geography –so that we may joyfully be caught in a inescapable network, peacefully tied in a single garment of destiny.

Heal us and restore us and draw us to one another and to you in love.

Teach us how to really see each other, beyond our worst moments or our greatest fears -help us search for you in each others eyes.

Teach us to distinguish between negotiation and betrayal,

When to defend our truth until the end

And when to climb down from our embattled uncertainties

In search of peace.

Teach us how to speak to each other, reminding us that the tongue has the power of life and death and without thought can be a beast

Straining constantly to break out of its cage and cause much grief and pain.

While one word of grace can heal, restore and change another's life.

Grant us a vision lord

To see what we can achieve

To reach out beyond ourselves

To share our lives with others

To stretch our capabilities

And increase our sense of purpose...

To be sensitive to your presence
To give heed to your constant call.
Guide us that we may be more sensitive to our neighbor's needs, and remind us
that anyone in need is our neighbor.
Those who work and those who do not
Those who are well housed and those who are homeless,
Those who are fulfilled and those who are frustrated.
We pray that dark walls of separation may be broken down.
Attune us to each other's hopes
That we may learn to know and love each other as you love us.
And so
We go from here
With eyes and hearts lifted for the best that still may come
In the name of all we hold holy
Let the people of God say Amen!

The President in the Chair, His Excellency the Governor, Charles D. Baker, Her Honor the Lieutenant-Governor, the Constitutional officers, the members of the Executive Council, and members of the Supreme Judicial Court then withdrew from the Chamber under the escort of the Sergeant-at-Arms.

At seven minutes before eight o'clock P.M., on motion of Mr. Moore, the Convention was dissolved.

Order.

Mr. Haggerty of Woburn being in the Chair,—
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 four minutes before eight o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Haggerty of Woburn being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.