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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, APRIL 10, 2019.**

[34]\*

# JOURNAL OF THE HOUSE.

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Wednesday, April 10, 2019.

Met according to adjournment at eleven o'clock A.M. with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Fathers, Chaplain of the House, as follows:

We give You thanks God, Source of Life, for the gift of springtime. We pray that our recent cool and damp weather will help bring new life and beauty to our natural landscape. We pray in thanksgiving this week for the life of Civil War Brevet General Randolph Barnes Marcy who was born on April 9, 1812 in Greenwich of Hampshire County. Greenwich (not Greenwich) was one of four towns that were submerged in order to create the Quabbin Reservoir for the greater Boston population.

Prayer.

Marcy is best known as the author of a United States government publication entitled "The Prairie Traveler" which was the primary guide book used by people who sought to settle in the western territories of the United States in the latter 19th century. This book offered life-saving advice on the many aspects of travelling through the wild west such as routes, as well as helpful topics like hunting and tracking, the avoiding of quicksand, the interpreting of smoke signals and sign language.

May our elected officials and their staff be blessed in their work today and may they continue to read the signs of the times and act accordingly.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Silent Prayer.*

At the request of Representative Biele of Boston, the members, guests and employees stood in a moment of silent tribute to the memory of Jody F. Luongo of South Boston. A veteran of the Vietnam War, Mr. Luongo honorably served his country with the United States Navy. He was a longtime employee of the city of Boston and a late member of the Knights of Coumbus #78 in South Boston. He was the beloved husband of Joanne (Klimas) Luongo, brother of Bradley, Corey, and the late Ronald Luongo. He is survived by his children, Malena King and her husband Tony, and Vanessa Ray and her husband Andrew.

Jody  
Luongo.

## *Message from the Governor — Veto.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill to lift the cap on kids [see House, No. 3594,

Aid to families  
with dependent  
children,—

amended] (for message, see House, No. 3686), was filed in the Office of the Clerk on Monday, April 8.

cap on kids.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

Pending the question on passing the bill, notwithstanding the objections of the Governor, further consideration was postponed, on motion of Ms. Decker of Cambridge, until the hour of one o’clock P.M.

Subsequently, the noon recess having terminated, the bill was considered further.

After remarks on the question on passing the bill, notwithstanding the said objections, was determined by the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution; and on the roll call 155 members voted in the affirmative and 1 in the negative.

Bill passed over veto,—yea and nay No. 35.

**[See Yea and Nay No. 35 in Supplement.]**

Therefore the bill was passed, notwithstanding the objections of His Excellency the Governor (more than two-thirds of the members having voted in the affirmative). Sent to the Senate for its action.

*Guests of the House.*

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the Wellesley High School girls ice hockey team. This winter the team won the Division 2 ice hockey championship for the second consecutive year. They were accompanied by their Coach Paul Donato[sic], Assistant Coach Tom Hammond and Athletic Director John Brown. At the invitation of the Chair, the team participated in the pledge of allegiance to the flag. They were the guests of Ms. Peisch of Wellesley.

Wellesley High,—girls ice hockey team.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Gabriella Izzo, the 2019 United States Figure Skating Junior Ladies Champion, a member of Team USA and the 2019 Egna Spring Trophy champion. Gabriella is also a full time student at Boston Latin School and was recently accepted into Harvard University. She was joined by her mother Ileana Izzo, her grandparents Richard and Judy Izzo and her uncle, the House’s own Mike Izzo. They were the guests of Representatives Honan of Boston and Moran of Boston.

Gabriella Izzo.

*Resolutions.*

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

Resolutions (filed by Mr. Lombardo of Billerica and other members of the House) recognizing May 1-7 as Elks National Youth Week;

Elks National Youth Week.

Resolutions (filed by Mr. Velis of Westfield and other members of the House) recognizing April as Parkinson’s Disease Awareness Month; and

Parkinson’s Month.

Resolutions (filed by Ms. Vincent of Revere and other members of the House) recognizing April as Sarcoidosis Awareness Month;

Sarcoidosis Month.

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. Peisch of Wellesley, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered

forthwith; and they were adopted.

*Petitions.*

Mr. Murphy of Weymouth presented a petition (subject to Joint Rule 12) of James M. Murphy for legislation to establish a sick leave bank for Maryanne Healey, an employee of the Middlesex Sheriff's Office; and the same was referred, under Rule 24, to the committee on Rules.

Maryanne Healey,—  
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Rogers of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Brodeur of Melrose, a petition (subject to Joint Rule 12) of Paul Brodeur for legislation to establish a sick leave bank for Scott A. Smith, an employee of the Trial Court.

Scott Smith,—  
sick leave.

By Representative Sabadosa of Northampton and Senator Comerford, a joint petition (subject to Joint Rule 12) of Lindsay N. Sabadosa and Joanne M. Comerford that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land in the city of Northampton.

Northampton,—  
land.

Severally, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

The House Bill establishing a sick leave bank for Anna-Paula Ferreira, an employee of the Department of Transitional Assistance (House, No. 77) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment, in line 4, inserting after the word "Ferreira." 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 Laws, Anna Paula Ferreira shall be permitted to use any time credited to the sick leave bank established by this act." The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Anna-Paula Ferreira,—  
sick leave.

A report of the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1971) of Anne M. Gobi, Michael O. Moore and Ryan C. Fattman for legislation to authorize the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements,— and recommending the same be referred to the committee on Education,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Southern Worcester County,—  
solar power.

A petition (accompanied by bill, Senate, No. 2195) of Bruce E. Tarr and Ann-Margaret Ferrante (with approval of the mayor and city council) for legislation to [sic] crediting the stabilization fund for the sale of Fuller School in the city of

Gloucester,—  
stabilization fund.

Gloucester, was referred, in concurrence, to the committee on Municipalities and Regional Government.

A petition of Bruce E. Tarr for legislation to establish a fluoride task force, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Health.

Water supply,— fluoride.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2196) was referred, in concurrence, to the committee on Public Health.

#### *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 petition of Denise C. Garlick that the commissioner of the Division of Capital Asset Management and Maintenance be authorized to convey certain parcels of land in the town of Needham. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Needham,— land.

By Mr. Parisella of Beverly, for the committee on Public Service, asking to be discharged from further consideration of so much of the recommendations of the Department of the State Treasurer (House, No. 27) as relates to the 401(k) CORE program (House, No. 36),— and recommending that the same be referred to the committee on State Administration and Regulatory Oversight. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

401(k) CORE Program.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a message from His Excellency the Governor, a Bill financing improvements to municipal roads and bridges (printed in House, No. 69). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Municipal roads and bridges.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Autumn Fugere, an employee of the Department of Developmental Services (House, No. 3683). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Autumn Fugere,— sick leave.

#### *Recess.*

At eight minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-three minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

#### *Order.*

An Order (filed by Mr. Galvin of Canton) relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2020 for

Budget,— procedures.

the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3799) [for order see House, No. 3799], having been reported from the committee on Rules, under the provisions of House Rules 7B and 7C, was considered.

Pending the question on adoption of the order, Mr. Hill of Ipswich moved to amend it by striking out lines 20 to 27, inclusive.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 31 members voted in the affirmative and 126 in the negative.

**[See Yea and Nay No. 36 in Supplement.]**

Therefore the amendment was rejected.

Mr. Jones of North Reading then moved to amend the order by inserting after line 15 the following paragraph:

*“Ordered, That, any amendment in the second degree containing language which would create a study of any part of the subject matter contained in the original amendment, may only be adopted if such further amendment has the express approval of the sponsor of the original amendment. Express approval shall be limited to the original sponsor speaking in favor of the further amendment on the floor of the House during the formal session in which the amendment is offered, provided that such speech is recorded in the Journal of the House, or the filing of the further amendment by the original sponsor. If the original sponsor does not provide express approval of such further amendment, the further amendment may only be adopted by an affirmative vote of not less than two-thirds of the members on a recorded ye and nay vote.”*

The amendment was rejected.

The same member then moved to amend the order by inserting after line 27 the following paragraph:

*“Ordered, That, notwithstanding House Rule 33E, no consolidated amendment offered by the committee on Ways and Means shall be considered by the House until the expiration of at least one hour after the consolidated amendment shall have been first filed with the Clerk and made available to the members; and be it further”.*

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 31 members voted in the affirmative and 126 in the negative.

**[See Yea and Nay No. 37 in Supplement.]**

Therefore the amendment was rejected.

Mr. Jones of North Reading then moved to amend the order by inserting after line 35 the following paragraph:

*“Ordered, That, no more than one consolidated amendment may be considered in a single vote; and be it further”;*

The amendment was rejected.

The same member then moved to amend the order in line 3 by inserting after the word “Speaker;” the following: “provided, however, that said amendments shall be filed no later than five o’clock P.M. Tuesday, April 16, 2019;”. The amendment was rejected.

After remarks on the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 127 members voted in the affirmative and 30 in the negative.

**[See Yea and Nay No. 38 in Supplement.]**

Therefore the order (House, No. 3799) was adopted.

Amendment  
rejected,—  
yea and nay  
No. 36.

Amendment  
rejected,—  
yea and nay  
No. 37.

Order  
adopted,—  
yea and nay  
No. 38.

*Reports of Committees.*

Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 1, reported, in part, a Bill making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3800) [Total appropriation: \$42,691,320,242.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General  
Appropriation  
Bill.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House; and, under the provisions of House Order No. 3799, the bill was placed in the Orders of the Day for Monday, April 22, for a second reading.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

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

Next  
sitting.

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Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty minutes after two o'clock P.M., on motion of Mrs. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.