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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**MONDAY, MAY 6, 2019.**

**[41]**

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# JOURNAL OF THE HOUSE.

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Monday, May 6, 2019.

Met at eleven minutes after eleven o'clock A.M., in an Informal Session, with Mr. Nangle of Lowell in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

God of Hope, we give thanks for the many blessings we enjoy as a Commonwealth. We are grateful for the efforts of our elected officials who serve in this chamber. We ask that You bless them with good health in mind and body.

We give thanks this week for the 1768 birth anniversary of portrait artist Ezra Ames. Born in Framingham, Ames moved to Albany, New York where he painted many well-known people including Alexander Hamilton.

As we lean into the week ahead we pray for the welfare of our citizens, especially our young people in primary and secondary schools. We pray in thanksgiving for their teachers as well. We pray for their safety at this time of year.

May God continue to bless our Commonwealth.

Prayer.

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

Pledge of  
allegiance.

## *Message from the Governor.*

A message from His Excellency the Governor recommending legislation relative to making appropriations for Fiscal Year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3702), was filed in the office of the Clerk on Thursday, May 2.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Supplemental  
appropriations.

## *Resolutions.*

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

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Nicholas Joseph Iannone III on receiving the Eagle Award from the Boy Scouts of America;

Nicholas  
Iannone III.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Isaac Drew Popper on receiving the Eagle Award from the Boy Scouts of America;

Isaac  
Popper.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Brian M. Schubert on receiving the Eagle Award from the Boy Scouts of America;

Brian  
Schubert.

Resolutions (filed by Messrs. Hecht of Watertown and Lawn of Watertown) congratulating Brian Costello on the occasion of his retirement as Executive

Brian  
Costello.

Director of the Watertown Housing Authority;

Resolutions (filed by Mr. Linsky of Natick) congratulating Reid Jackson on receiving the Eagle Award of the Boy Scouts of America;

Reid  
Jackson.

Resolutions (filed by Mr. Linsky of Natick) congratulating Nathan Matthew Sullivan on receiving the Eagle Award of the Boy Scouts of America;

Nathan  
Sullivan.

Resolutions (filed by Mr. Orrall of Lakeville) congratulating Antonio “Tony” Amaral on the occasion of his retirement from the Lakeville Police Department; and

Antonio  
Amaral.

Resolutions (filed by Ms. Peake of Provincetown) commending Alan McClennen, Jr. for his years of service to the town of Orleans;

Alan  
McClennen.

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

### *Orders.*

The following order (filed by Ms. Domb of Amherst) was adopted:

*Ordered*, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering a proposal for a legislative amendment to the Constitution relative to the oaths and affirmations of public office (House, No. 81),— with reference to which the committee on the Judiciary has reported that the amendment ought to pass, with an amendment, substituting therefor a proposal with the same title (Senate, No. 2211) [Representative Garry of Dracut dissenting].

Constitution,—  
oaths and  
affirmations  
of office.

The following order (filed by Mr. Jones of North Reading) was adopted:

*Ordered*, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering a proposal for a legislative amendment to the Constitution prohibiting eminent domain takings (House, No. 83),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass [Representatives Harrington of Groton and Sullivan of Abington dissenting].

Constitution,—  
eminent  
domain.

The following order (filed by Mr. O’Day of West Boylston) was adopted:

*Ordered*, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering a proposal for a legislative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (House, No. 86),— with reference to which the committee on Revenue has reported that the amendment ought to pass.

Constitution,—  
millionaire  
tax.

### *Additional Petitions.*

The following additional petitions (having been deposited in the office of the Clerk of the House, previously to five o’clock in the afternoon on Friday, January 18, 2019) were referred, under Rule 24 and Joint Rule 13, as follows:

By Mrs. Kane of Shrewsbury, a petition (accompanied by bill, House, No. 3704) of Hannah Kane and others relative to establishing a minimum age requirement for entry into cannabis-related events, conferences, forums and exhibitions; and	Cannabis events,—age.
By the same member, a petition (accompanied by bill, House, No. 3705) of Hannah Kane and others relative to data collection for the research agenda of the Cannabis Control Commission;	Cannabis,—Data collection.
Severally to the committee on Cannabis Policy.	
By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3706) of James Arciero, James Dolan and Patrick M. O'Connor relative to state assistance for funeral expenses. To the committee on Children, Families and Persons with Disabilities.	Funerals,—state assistance.
By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 3707) of Linda Dean Campbell and others relative to licensing of mental health counselors;	Mental health counselors,—licenses.
By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3708) of Peter J. Durant, Joseph D. McKenna and Shaunna L. O'Connell relative to limiting the salaries of executives in non-profit organizations; and	Non-profits,—executive salaries.
By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 3709) of Daniel J. Hunt relative to exams of the Board of Registration of Cosmetology and Barbering;	Cosmetology and barbering,—exams.
Severally to the committee on Consumer Protection and Professional Licensure.	
By Ms. DuBois of Brockton, a petition (accompanied by bill, House, No. 3710) of Michelle M. DuBois and Michael D. Brady relative to transportation of special needs students. To the committee on Education.	Special needs students,—transportation.
By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 3711) of Linda Dean Campbell and Michelle M. DuBois relative to food assistance for senior citizens. To the committee on Elder Affairs.	Food assistance,—seniors.
By Ms. Domb of Amherst, a petition (accompanied by bill, House, No. 3712) of Mindy Domb, Nika C. Elugardo and David Henry Argosky LeBoeuf relative to random placement of candidate names and removal of incumbent information on primary and state ballots; and	Ballots.
By the same member, a petition (accompanied by bill, House, No. 3713) of Mindy Domb and others relative to ballots for state general elections;	Id.
Severally to the committee on Election Laws.	
By Mr. Garballey of Arlington (by request), a petition (accompanied by bill, House, No. 3714) of Laura Kiesel for an investigation by a special commission (including members of the General Court) relative to the effects of rat poison on wildlife. To the committee on Environment, Natural Resources and Agriculture.	Wildlife,—rat poison.
By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3715) of Peter J. Durant relative to insurance coverage of applied behavioral analysis therapy for certain patients with Down syndrome; and	Down syndrome,—insurance.
By Mr. McKenna of Webster, a petition (accompanied by bill, House, No. 3716) of Joseph D. McKenna, Michael O. Moore and Michael J. Soter relative to motor vehicle insurance liability during claims investigations;	Auto insurance,—investigations.
Severally to the committee on Financial Services.	
By Mr. Barrows of Mansfield, a petition (accompanied by bill, House, No. 3717) of F. Jay Barrows relative to access to prescription monitoring data by law enforcement;	Prescription monitoring,—data.
By Mrs. Campbell of Methuen (by request), a petition (accompanied by bill,	Child custody

House, No. 3718) of Melissa Ferris relative to child custody orders;	orders.
By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 3719) of Daniel J. Hunt relative to the use of offensive words;	Offensive words.
By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 3720) of James J. O'Day and others relative to the treatment of certain individuals affected by mental illness, including perinatal psychiatric complications, by the criminal justice system; and	Defendants,— mental illness treatment.
By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 3721) of Chynah Tyler and others relative to the expungement of records of marijuana arrests;	Marijuana,— expungement.
Severally to the committee on the Judiciary.	
By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3722) of Kay Khan and others relative to nurses in psychiatric facilities. To the committee Mental Health, Substance Use and Recovery.	Psychiatric facilities,— nurses.
By Mr. Garballey of Arlington (by request), a petition (accompanied by bill, House, No. 3723) of Amos Meeks that master plans by planning boards in cities and towns address climate change and renewable energy. To the committee on Municipalities and Regional Government.	Planning boards,— climate change.
By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3724) of James Arciero and James Dolan relative to the operation of crematories by funeral establishments;	Crematories.
By the same member, a petition (accompanied by bill, House, No. 3725) of James Arciero and James Dolan relative to online death attestations; and	Death attestations.
By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 3726) of Shaunna L. O'Connell relative to access to healthcare information by parents or legal guardians of minors;	Healthcare information,— access.
Severally to the committee on Public Health.	
By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3727) of James Arciero and others for legislation to further regulate the safety of mobile amusement equipment; and	Amusement equipment,— safety.
By Ms. Domb of Amherst, a petition (accompanied by bill, House, No. 3728) of Mindy Domb and others relative to temporary overnight shelter for persons in need;	Overnight shelters.
Severally to the committee on Public Safety and Homeland Security.	
By Ms. DuBois of Brockton, a petition (accompanied by bill, House, No. 3730) of Michelle M. DuBois, Michael D. Brady and David Henry Argosky LeBoeuf relative to sick time benefits for Frank Ray, an employee of the Department of Early Education and Care. To the committee on Public Service.	Frank Ray,— benefits.
By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 3731) of Paul W. Mark and Paul Brodeur relative to employee-owned businesses and cooperatives; and	Employee-owned businesses.
By the same member, a petition (accompanied by bill, House, No. 3732) of Paul W. Mark relative to the classification and taxation of forest ecosystem land;	Forest land,— classification.
Severally to the committee on Revenue.	
By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3733) of James Arciero and others relative to vehicle registration plates of veterans;	Veterans,— license plates.
By the same member, a petition (accompanied by bill, House, No. 3734) of James Arciero and others relative to motor vehicle registration plates and placards for certain disabled veterans;	Id.
By the same member, a petition (accompanied by bill, House, No. 3735) of James Arciero and James Dolan relative to licensed funeral home vehicles; and	Funeral homes,— vehicles.

By Mr. Barrows of Mansfield (by request), a petition (accompanied by bill, House, No. 3736) of Cynthia M. Kent relative to the issuance of motor vehicle hardship licenses;

Motor vehicles,—  
hardship licenses.

Severally to the committee on Transportation.

Severally sent to the Senate for concurrence.

### *Petitions.*

Mr. Driscoll of Milton presented a petition (subject to Joint Rule 12) of William J. Driscoll, Jr., for legislation to establish a sick leave bank for Antoinette Rodney, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Antoinette  
Rodney,—  
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 Mrs. Poirier of North Attleborough, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Mr. Holmes of Boston presented a petition (subject to Joint Rule 12) of Russell E. Holmes for legislation to designate the Charlestown division of Boston Municipal Court as the George Lewis Ruffin courthouse; and the same was referred, under Rule 24, to the committee on Rules.

Boston,—  
Ruffin  
courthouse.

### *Papers from the Senate.*

#### Reports

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 111) of William N. Brownsberger for legislation relative to TNC driver suitability,— and recommending that the same be referred to the committee on Financial Services; and

Transportation  
networks,—  
drivers.

Of the petition (accompanied by bill, Senate, No. 114) of Harriette L. Chandler, Lori A. Ehrlich, Walter F. Timilty, Michael O. Moore and other members of the General Court for legislation to protect the health and safety of puppies and kittens in cities and towns,— and recommending that the same be referred to the committee on Municipalities and Regional Government; and

Animals,—  
safety.

Of the committee on Public Service, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1556) of Gerry Mroz and Thomas M. Stanley for legislation to incentivize efficiencies in the education system,— and recommending that the same be referred to the committee on Education; and

Education,—  
efficiencies.

Of the petition (accompanied by bill, Senate, No. 1580) of Michael F. Rush, Edward F. Coppinger, Liz Miranda, Daniel J. Ryan and other members of the General Court for legislation relative to the composition of the board of directors of the Massachusetts Department of Transportation,— and recommending that the same be referred to the committee on Transportation;

MassDOT,—  
board of  
directors.

Severally accepted by the Senate, were considered forthwith, under Rule 42;

and they were accepted, in concurrence.

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

Petition (accompanied by bill, Senate, No. 2217) of Sal N. DiDomenico for legislation to further rate equity, access, and affordability in community hospitals. To the committee on Health Care Financing.

Community hospitals,—  
regulation.

Petition (accompanied by bill, Senate, No. 2218) of Dean A. Tran for legislation to establish a sick leave bank for Ryan Russell, an employee of the Department of Correction. To the committee on Public Service.

Ryan Russell,—  
sick leave.

### *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:

Petition (accompanied by bill) of Claire D. Cronin relative to insurance premium criteria. To the committee on Financial Services.

Insurance premiums.

Petition (accompanied by bill) of Claire D. Cronin relative to non-violation of parole for possession of valid prescriptions. To the committee on the Judiciary.

Parolees,—  
prescriptions.

Petition (accompanied by bill) of Donald H. Wong for legislation to designate a certain bridge in the city of Lynn as the Army Specialist Antonio J. Syrakos foot bridge. To the committee on Transportation.

Lynn,—  
Syrakos foot bridge.

Under suspension of the rules, on motion of Mrs. Poirier of North Attleborough, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill financing improvements to municipal roads and bridges (printed in House, No. 69), ought to pass [Bond Issue: General Obligation Bonds: \$1,900,000,000.00]. Referred, under Rule 33, to the committee on Ways and Means.

Municipal roads and bridges.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill relative to the health insurance and other benefits in the town of East Brookfield (House, No. 2167) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

East Brookfield,—  
healthcare.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the certification and appointment of Adam J. Silva as a firefighter in the town of Wilmington (House, No. 2355) [Local Approval Received].

Wilmington,—  
Adam Silva.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Norwood to continue the employment of police chief William G. Brooks, III (House, No. 2356) [Local Approval Received].

Norwood,—  
William Brooks.

By the same member, for the same committee, on Senate, No. 1530 and House, No. 2262, a Bill exempting Ryan M. Charette from the maximum age requirement for appointment as a firefighter in the town of Dracut (House, No. 3703) [Local Approval Received].

Dracut,—  
Ryan Charette.

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

*Recess.*

At twenty-nine minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Nangle of Lowell being in the Chair), the House recessed subject to the call of the Chair; and at twenty-six minutes after one o'clock P.M. the House was called to order with Mr. Nangle in the Chair.

Recess.

*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.

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At twenty-seven minutes after one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Nangle of Lowell being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.