
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 13, 2019.

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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).

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

God of Vitality and Energy, we give You thanks for the slow but steady growth of plant life throughout our state. While the Berkshires saw snow in the air yesterday, we trust that warmer weather is on its way.

We pray for our legislators in this session as they continue to mature as a working body. May Your Spirit of collaboration assist them in their team work.

Today we give thanks for the various people in our state's history who have contributed to the sporting and recreational pursuits of Americans.

We remember that it was on this day in 1858, that "The Massachusetts Game", an early version of baseball, had its' rules drawn up at a convention held in Dedham. The Massachusetts Game had many differences from its rival league based in New York. The Massachusetts version had much higher scores and more excitement, however, in time, the New York rules were adopted by participants throughout the country as the sport came to be called the "National Game".

Two rules of the Massachusetts league made their way into our national pastime; the pitcher had to throw overhanded and the ball had to be caught in the air to record an out.

We pray in a special way for the 11th Norfolk District Representative Paul McMurtry of Dedham and his staff.

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.

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 Chamber, 6th grade students from The Sage School in Foxborough. They were accompanied by teachers Lance Sun, Marie Dalton, Danielle Fish, and Julie York. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Barrows of Mansfield.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the Chamber, the Wellesley High School Girls Track Team, winners of the 2019 Girls Division 2 state indoor track and field championship, and Sophie Laing, who won the 2018-2019 Division 2 wrestling state championship. They were accompanied by coach John Griffith and athletic

Prayer.

Pledge of
allegiance.

Foxborough,—
The Sage
School.

Wellesley,—
track and
wrestling.

director John Brown. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Ms. Peisch of Wellesley.

Resolutions.

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

Resolutions (filed by Ms. Gouveia of Acton) recognizing Chris Whelan on the occasion of his retirement as the town manager of the town of Concord;

Chris
Whelan.

Resolutions (filed by Mr. Mahoney of Worcester) honoring Nancy M. Kane on her lifetime of dedicated service to public health education and the public good; and

Nancy
Kane.

Resolutions (filed by Mr. Velis of Westfield) congratulating the city of Westfield on the occasion of its three hundred fiftieth anniversary of its incorporation;

Westfield,—
anniversary.

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. Cabral of New Bedford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

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 Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 3751) of Chynah Tyler and others relative to workplace drug testing for marijuana. To the committee on Cannabis Policy.

Marijuana,—
drug testing.

By Ms. Nguyen of Andover, a petition (accompanied by bill, House, No. 3752) of Tram T. Nguyen and others relative to employment for persons with intellectual disabilities and autism spectrum disorders. To the committee on Children, Families and Persons with Disabilities.

Disabled,—
employment.

By Mr. Barrett of North Adams, a petition (accompanied by bill, House, No. 3753) of John Barrett, III and others for legislation to limit consumer exposure to deceptive calling practice; and

Deceptive
calling.

By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 3754) of David F. DeCoste and Patrick Joseph Kearney relative to certain professional licensure training requirements;

Licensing.

Severally to the committee on Consumer Protection and Professional Licensure.

By Mr. Silvia of Fall River, a petition (accompanied by bill, House, No. 3755) of Alan Silvia and others for legislation to establish the Abigail Adams center for women in STEM to provide opportunities for women in the workforce in science, technology, engineering and mathematics professions. To the committee on Economic Development and Emerging Technologies.

Adams
center.

By Representative Brodeur of Melrose and Senator Lewis, a joint petition (accompanied by bill, House, No. 3756) of Paul Brodeur, Jason M. Lewis and others relative to career technical education schools and programs;

Career
technical
education.

By Representative Garlick of Needham and Senator Rush, a joint petition (accompanied by bill, House, No. 3757) of Denise C. Garlick, Michael F. Rush and

Schools,—
operations.

Rebecca L. Rausch relative to school operational efficiency;	
By Ms. Higgins of Leominster (by request), a petition (accompanied by bill, House, No. 3758) of Emily LaMarca relative to monitoring and documentation of school discipline;	Schools,— discipline.
By Mr. Rogers of Norwood, a petition (accompanied by bill, House, No. 3759) of John H. Rogers and Jason M. Lewis relative to the targeted local contribution of the foundation budget under the chapter 70 funding formula, so called;	School aid,— local contribution.
By Mr. Silvia of Fall River, a petition (accompanied by bill, House, No. 3760) of Alan Silvia and others that the board and commissioner of Elementary and Secondary Education establish an early education foreign language program in public schools; and	Schools,— language instruction.
By the same member, a petition (accompanied by bill, House, No. 3761) of Alan Silvia and others relative to universal pre-kindergarten education in gateway municipalities;	Gateway cities,— early education.
Severally to the committee on Education.	
By Mr. Haggerty of Woburn, a petition (accompanied by bill, House, No. 3762) of Richard M. Haggerty and Peter Capano relative to the prescription monitoring program. To the committee on Elder Affairs.	Prescription monitoring.
By Representative Vargas of Haverhill and Senator Chandler, a joint petition (accompanied by bill, House, No. 3763) of Andres X. Vargas, Harriette L. Chandler and others for legislation to establish a pilot program and for an investigation and study by a special commission (including members of the General Court) to provide for convenient voting for military personnel, their families and civilians stationed or working abroad. To the committee on Election Laws.	Voting abroad,— pilot program.
By Mr. Driscoll of Milton, a petition (accompanied by bill, House, No. 3764) of William J. Driscoll, Jr., and others relative to non-lethal animal population control; and	Animals,— control.
By Mr. Fernandes of Falmouth, a petition (accompanied by bill, House, No. 3765) of Dylan A. Fernandes and others relative to single use plastics;	Single use plastics.
Severally to the committee on Environment, Natural Resources and Agriculture.	
By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3766) of Thomas A. Golden, Jr., and others relative to the cost of cancer screenings or evaluations by health insurers. To the committee on Financial Services.	Insurance,— cancer screenings.
By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3767) of David Henry Argosky LeBoeuf, Nika C. Elugardo and José F. Tosado for an investigation and study by a panel (including members of the General Court) relative to improving quality and coverage standards of health insurers. To the committee on Health Care Financing.	Health insurers,— standards.
By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 3768) of David F. DeCoste and John J. Lawn, Jr., relative to rent escrow;	Rent escrow.
By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3769) of Shawn Dooley and others relative to instituting the death penalty for the murder of law enforcement officers;	Death penalty.
By Ms. Fiola of Fall River, a petition (accompanied by bill, House, No. 3770) of Carole A. Fiola and others for legislation to require criminal record checks for officials, referees or umpires officiating at certain athletic events;	School athletics,— record checks.
By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 3771) of Louis L. Kafka and others relative to criminal offender record information checks;	Criminal record checks.
By Ms. Nguyen of Andover, a petition (accompanied by bill, House, No. 3772)	Animals,—

of Tram T. Nguyen and others relative to penalties for cruelty to animals;	cruelty.
By Representatives O'Connell of Taunton and DeCoste of Norwell, a petition (accompanied by bill, House, No. 3773) of Shaunna L. O'Connell, David F. DeCoste and others relative to capital punishment for the murder of law enforcement officers; and	Death penalty.
By Mr. Tucker of Salem, a petition (accompanied by bill, House, No. 3774) of Paul F. Tucker for an investigation by a special commission (including members of the General Court) relative to attorney-client fee disputes;	Attorneys,— fee disputes.
Severally to the committee on the Judiciary.	
By Ms. Vincent of Revere, a petition (accompanied by bill, House, No. 3775) of RoseLee Vincent and others relative to use of employee earned sick time for school closings. To the committee on Labor and Workforce Development.	Employees,— sick time use.
By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3776) of Kay Khan and others for legislation to establish a substance abuse protection fund. To the committee on Mental Health, Substance Use and Recovery.	Substance abuse,— fund.
By Mr. Lawn of Watertown, a petition (accompanied by bill, House, No. 3777) of John J. Lawn, Jr., and others relative to establishing veterans' housing preferences. To the committee on Municipalities and Regional Government.	Housing,— veterans' preference.
By Mr. Nangle of Lowell, a petition (accompanied by bill, House, No. 3778) of David M. Nangle relative to the sale of flavored vaping products; and	Vaping products.
By Mr. Silvia of Fall River, a petition (accompanied by bill, House, No. 3779) of Alan Silvia and others relative to informed consent for opioid treatment for pain;	Opioids,— consent.
Severally to the committee on Public Health.	
By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 3780) of Chynah Tyler and others relative to the purchase of firearms;	Firearms,— purchase.
By the same member, a petition (accompanied by bill, House, No. 3781) of Chynah Tyler and others relative to the sale of firearms;	Firearms,— sale.
By the same member, a petition (accompanied by bill, House, No. 3782) of Chynah Tyler and others relative to reporting procedures for firearms; and	Firearms,— reporting.
By the same member, a petition (accompanied by bill, House, No. 3783) of Chynah Tyler and others relative to firearms licensing;	Firearms,— licensing.
Severally to the committee on Public Safety and Homeland Security.	
By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3784) of David Henry Argosky LeBoeuf and others relative to health insurance benefits for certain state employees; and	Employees,— healthcare.
By Mr. McGonagle of Everett, a petition (accompanied by bill, House, No. 3785) of Joseph W. McGonagle, Jr., and others relative to disability or death caused by post-traumatic stress disorder for certain members of state retirement systems;	Retired employees,— PTSD.
Severally to the committee on Public Service.	
By Mr. Brodeur of Melrose, a petition (accompanied by bill, House, No. 3786) of Paul Brodeur and Jason M. Lewis relative to municipal snow and ice removal budgets;	Cities, etc.— snow and ice.
By Mr. Cutler of Duxbury, a petition (accompanied by bill, House, No. 3787) of Josh S. Cutler and others relative to tax havens and complete reporting by certain combined groups;	Tax havens.
By the same member, a petition (accompanied by bill, House, No. 3788) of Josh S. Cutler and others relative to the taxation of certain businesses;	Businesses,— taxes.
By Ms. Gouveia of Acton (by request), a petition (accompanied by bill, House, No. 3789) of Edward Sonn and Paul F. Tucker relative to mandating e-filing of tax returns; and	Taxes,— filing.
By Mr. Murray of Milford, a petition (accompanied by bill, House, No. 3790)	Elderly,—

of Brian W. Murray and others relative to a certain property tax exemption for the elderly;

property tax exemption.

Severally to the committee on Revenue.

By Ms. Robinson of Framingham, a petition (accompanied by bill, House, No. 3791) of Maria Duaine Robinson and others for legislation to establish a natural gas demand response pilot program within the Department of Public Utilities. To the committee on Telecommunications, Utilities and Energy.

Natural gas,—
demand response program.

By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 3792) of David F. DeCoste, Patrick Joseph Kearney and Mathew J. Muratore relative to employment preference for veterans at the Massachusetts Port Authority. To the committee on Veterans and Federal Affairs.

MassPort,—
veterans preference.

Severally sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Hay of Fitchburg, a petition (accompanied by bill, House, No. 3747) of Stephan Hay and Dean A. Tran (with the approval of the mayor and city council) that the city of Fitchburg be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Fitchburg,—
liquor license.

By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 3748) of Daniel J. Hunt (with the approval of the mayor and city council) for legislation to provide for residency preference for appointment at the police and fire departments of the city of Boston; and

Boston,—
residency requirement.

By Representative Tucker of Salem and Senator Lovely, a joint petition (accompanied by bill, House, No. 3749) of Paul F. Tucker and Joan B. Lovely (with the approval of the mayor and the city council) that the retirement board of the city of Salem be authorized to retire Brian Benson, a police officer of said city;

Salem,—
Brian Benson.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Mr. Day of Stoneham presented a petition (subject to Joint Rule 12) of Michael S. Day for legislation to establish a sick leave bank for Renee Bennett, an employee of the Sex Offender Registry Board.

Renee Bennett,—
sick leave.

By Mr. Markey of Dartmouth, a petition (subject to Joint Rule 12) of Christopher M. Markey and Paul A. Schmid, III (with the approval of the mayor and the city council) relative to the operation of a certain Commonwealth charter school in the city of New Bedford.

New Bedford,—
charter school.

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

Papers from the Senate.

A Bill establishing a sick leave bank for Mark A. Paiva, an employee of the Department of Correction (Senate, No. 2215) (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.

Mark Paiva,—
sick leave.

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

follows:

Petition (accompanied by bill, Senate No. 2221) of Dean A. Tran for legislation to establish a commission to study the effects of K2 in state prisons. To the committee on Cannabis Policy.

Prisons,—
K2.

Petition (accompanied by bill, Senate No. 2220) of Dean A. Tran for legislation to reform the toxic use reduction act. To the committee on Environment, Natural Resources and Agriculture.

Toxics use
reduction.

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 joint petition of David K. Muradian, Jr., and Michael O. Moore for legislation to designate a certain bridge in the town of Grafton as the veterans memorial bridge. Under suspension of the rules, on motion of Mr. Cabral of New Bedford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Grafton,—
bridge.

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

The Senate Bill establishing a sick leave bank for Daniel Ajoue, an employee of the Department of Correction (Senate, No. 2208, amended); and

Daniel
Ajoue,—
sick leave.

House bills

Relative to land in Bernardston (House, No. 1808) [Local Approval Received];

Bernardston.

Relative to the charter of the town of Provincetown (House, No. 1818) [Local Approval Received]; and

Provincetown,—
charter.

Authorizing the town of Athol to establish a special fund for the town of Athol Public Library (House, No. 1837) [Local Approval Received];

Athol,—
library.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the charter of the town of Plymouth (House, No. 1811) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Plymouth,—
charter.

Orders of the Day.

The House Bill designating a bridge in the town of Dalton as the Specialist Mitchell K. Daehling memorial bridge (House, No. 3077), 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.

Third
reading
bill.

Recess.

At eleven minutes after eleven o'clock A.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 half past twelve o'clock noon the House was called to order

Recess.

with Mr. Donato in the Chair.

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-eight minutes before one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.