
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MAY 29, 2019.

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JOURNAL OF THE HOUSE.

Wednesday, May 29, 2019.

Met at eight minutes after eleven o'clock A.M. with Mr. Wagner of Chicopee 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 Equity and Justice, we pray for our elected officials who serve in this legislative branch. We pray that they may be inspired to continue serving the people of Massachusetts in Your spirit of fairness.

Prayer.

We remember that on this day 102 years ago, John Fitzgerald Kennedy was born in Brookline. He went on to serve the Commonwealth as a Congressman and Senator before being elected the 35th President of the United States.

When President Kennedy's mother, Rose, finished restoring her family's first home at 83 Beals Street, she gifted it to the National Park Service in a public ceremony that occurred on this date in 1969 fifty years ago. She invited family members, local dignitaries, government officials, clergy, and the general public.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Wagner), 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 Mr. DeCoste of Norwell, the members, guests and employees stood in a moment of silent tribute to the memory of Donald Soper, 77 of Hanover, who passed away on May 6, 2019.

Donald
Soper.

Born on January 27, 1942 in Abington, he was the son of the late Herbert G. and Muriel (Walker) Soper.

Donald proudly served our country in the United States Army. He was self-employed as a contractor. Donald loved trains, fishing, cruising, Disney World, and was a talented craftsman. Above all, Donald adored his family and country.

Statement Concerning Representative Gouveia of Acton.

A statement of Mr. Moran of Boston concerning Ms. Gouveia of Acton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Gouveia of Acton, is unable to be present in the House Chamber for today's sitting because she is attending a series of meetings and a conference in Portugal with other US-based legislators and Members of Congress. The purpose of the visit is to learn about policies that could be adopted by the Massachusetts Legislature to better serve the people of the 14th Middlesex

Statement
concerning
Ms. Gouveia
of Acton.

district and the Commonwealth. Her missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Miranda of Boston.

A statement of Mr. Wagner of Chicopee concerning Ms. Miranda of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Miranda of Boston, is unable to be present in the House Chamber for today's sitting because she is attending a series of meetings and a conference in Portugal with other US-based legislators and Members of Congress. The purpose of the visit is to learn about policies that could be adopted by the Massachusetts Legislature to better serve the people of the 5th Suffolk district and the Commonwealth. Her missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Ms. Miranda
of Boston.

Statement Concerning Representative Vega of Holyoke.

A statement of Mr. Wagner of Chicopee concerning Mr. Vega of Holyoke was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Vega of Holyoke, is unable to be present in the House Chamber for today's sitting due to family business. His missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Mr. Vega
of Holyoke.

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Colby S. Boyer on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Shahdan J. Patricio on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Jack K. O'Connor on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Joseph R. Perkins on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Hill of Ipswich) congratulating Zachary Titus on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Ms. Hogan of Stow) congratulating Ana Filipa Pimentel for receiving a Portuguese Heritage Award from the Portuguese-American Legislative Caucus;

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

Colby
Boyer.

Shahdan
Patricio.

Jack
O'Connor.

Joseph
Perkins.

Zachary
Titus.

Ana
Pimentel.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 3821) of Louis L. Kafka, Paul R. Feeney and Walter F. Timilty (by vote of the town) that the town of Sharon be authorized to grant four licenses for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Sharon,—
liquor
licenses.

By Mr. Brodeur of Melrose, a petition (accompanied by bill, House, No. 3822) of Paul Brodeur (with the approval of the mayor and board of aldermen) relative to the charter of the city of Melrose. To the committee on Municipalities and Regional Government.

Melrose,—
charter.

By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 3823) of William C. Galvin and Walter F. Timilty (by vote of the town) that the town of Avon be authorized to appoint retired police officers to serve as special police officers; and

Avon,—
special
police.

By Mr. Nangle of Lowell, a petition (accompanied by bill, House, No. 3824) of David M. Nangle and others (with the approval of the city council) that the city of Lowell be authorized to appoint retired police officers as special police officers within said city for paid detail assignments;

Lowell,—
special
police.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley and Rebecca L. Rausch that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land in the town of Norfolk to said town for passive and active recreational activities and facilities.

Norfolk,—
land.

By Messrs. Whelan of Brewster and Hunt of Sandwich, a petition (subject to Joint Rule 12) of Timothy R. Whelan, Randy Hunt and others relative to the penalties for failure to load vehicles to prevent dropping on public ways.

Vehicles,—
littering.

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

A petition (subject to Joint Rule 9) of Daniel R. Cullinane, Jon Santiago and William C. Galvin relative to Commercial Wharf in the city of Boston (having been returned by the State Secretary with a letter stating that the petitioner had failed to file proof of notice of publication), was placed on file.

Boston,—
Commercial
Wharf.

Papers from the Senate.

A message from His Excellency the Governor recommending legislation to protect children from serial rapists (Senate, No. 2227), was referred, in concurrence, to the committee on the Judiciary.

Serial
rapists.

A petition (accompanied by bill, Senate, No. 2225) of Viriato M. deMacedo and Randy Hunt (by vote of the town) for legislation relative to the town of Sandwich, was referred, in concurrence, to the committee on Revenue.

Sandwich,—
local room
excise.

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 Keely O’Gorman relative to the use and distribution of single-use plastic straws. To the committee on Consumer Protection and Professional Licensure.

Single-use
plastic
straws.

Petition (accompanied by bill) of Russell E. Holmes for legislation to designate the Charlestown division of Boston Municipal Court as the George Lewis Ruffin courthouse. To the committee on the Judiciary.

Boston,—
Ruffin
courthouse.

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

By Mr. Roy of Franklin, for the committee on Higher Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3807) of Jennifer E. Benson and others for legislation to establish a student tuition recovery fund to be administered by the Attorney General,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Tuition,—
recovery
fund.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3819) [for order, see House, No. 3820]. The order was adopted.

Supplemental
appropriations.

Recess.

At fourteen minutes after eleven o’clock A.M., on motion of Mr. Wong of Saugus (Mr. Wagner of Chicopee being in the Chair), the House recessed until one o’clock P.M.; and at a quarter after one o’clock the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Engrossed Bill – State Loan.

The engrossed Bill financing improvements to municipal roads and bridges (see House bill printed in House, No. 69) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Transportation
bonds.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(state loan),—
yea and nay
No. 60.

[See Yea and Nay No. 60 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting

Speaker and sent to the Senate.

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 Donald R. Berthiaume, Jr., for legislation to establish a sick leave bank for Jennifer Desjardins, an employee of the Department of Children and Families; and

Jennifer
Desjardins,—
sick leave.

Joint petition (accompanied by bill) of Joseph F. Wagner and James T. Welch for legislation to establish a sick leave bank for Debra Messier, an employee of the Department of Revenue;

Debra
Messier,—
sick leave.

Severally to the committee on Public Service.

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

Prior to the noon recess (Mr. Wagner of Chicopee being in the Chair), Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 3702, reported, in part, a Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3819) [Total appropriation: \$40,195,029.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
appropriations.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Cabral of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated (Mr. Donato of Medford being in the Chair), under further suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Mr. Michlewitz of Boston moved to amend it in section 48, in line 398, by inserting after the word “representatives” the following: “, 1 of whom shall be appointed by the speaker of the house”; and in line 399, by inserting after the word “senate” the following: “, 1 of whom shall be appointed by the senate president”. The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 61.

[See Yea and Nay No. 61 in Supplement.]

Therefore the bill (House, No. 3819, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate Bill establishing a sick leave bank for James Lovett, an employee of the Department of Conservation and Recreation (Senate, No. 2209, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was

James
Lovett,—
sick leave.

discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Parisella of Beverly; and it was passed to be engrossed, in concurrence.

The House Bill establishing a sick leave bank for Antoinette Rodney, an employee of the Trial Court (House, No. 3744) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Ms. Cronin of Easton; and it was passed to be engrossed. Sent to the Senate for concurrence.

Antoinette
Rodney,—
sick leave.

The petition 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, reported by the committee on Rules and the committees on Rules of the two branches, acting concurrently, was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Cabral of New Bedford. Joint Rule 12 then was suspended, and the petition (accompanied by bill) was referred to the committee on Education. Sent to the Senate for concurrence.

New Bedford,—
charter school.

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.

Accordingly, without proceeding to the matters in the Orders of the Day, at five minutes before three 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 day at eleven o'clock A.M., in an Informal Session.