
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JUNE 13, 2019.

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JOURNAL OF THE HOUSE.

Thursday, June 13, 2019.

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).

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.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced, seated in the House Chamber, 5th grade students, chaperones and teachers from the Parlin School in Everett. They were the guests of Mr. McGonagle of Everett.

Everett,—
Parlin
School.

During the session, the Chair (Mr. Donato) declared a brief recess and introduced, seated in the House Chamber, 3rd grade students, chaperones and teachers from the William Seach School in Weymouth. The students were accompanied by their teachers Jackie Newman, Laureen Gervais, and Nicole Doherty. They were the guests of Mr. Murphy of Weymouth.

Weymouth,—
Seach
School.

During the session, the Chair (Mr. Donato) declared a brief recess and introduced, seated in the House Chamber, participants of Gal Pals and Girl Talk from Tufts University. They were the guests of Mrs. Poirier of North Attleborough.

Gal Pals and
Girl Talk.

Resolutions.

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

Resolutions (filed by Messrs. Jones of North Reading and Haggerty of Woburn) commemorating the Reading-North Reading Chamber of Commerce on the thirtieth anniversary of its establishment;

Reading-
North Reading.

Resolutions (filed by Messrs. Ashe of Longmeadow and Puppolo of Springfield) commending the town of East Longmeadow on the celebration of its one hundred twenty-fifth anniversary of incorporation;

East
Longmeadow,—
anniversary.

Resolutions (filed by Mr. Barrows on Mansfield) congratulating Joseph Warren Gonsalves on receiving the Eagle Award of the Boy Scouts of America;

Joseph
Gonsalves.

Resolutions (filed by Mr. Naughton of Clinton) congratulating Walter P. "Miz" O'Malley upon the dedication of Clinton VFW Post 523 in his honor in recognition of his selfless service to our country in the United States Marine Corps;

Walter
O'Malley.

Resolutions (filed by Mrs. O'Connell of Taunton) recognizing Elmer R. Perry for his extraordinary service on the grand occasion of his one hundredth birthday; and

Elmer
Perry.

Resolutions (filed by Mr. Whelan of Brewster) commending Sergeant Richard Edward Troy for his thirty years of dedicated service to the town of Dennis;

Richard
Troy.

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. McGonagle of Everett, 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 Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3871) of James Arciero and others relative to the use of temporary door locking devices in public schools; and

Public
schools,—
door locks.

By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 3872) of Shaunna L. O'Connell and others relative to seizure management plans in public schools;

Schools,—
seizures.

Severally to the committee on Education.

By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 3873) of David F. DeCoste and others for legislation to establish the board of registration of hazardous waste site cleanup professionals. To the committee on Environment, Natural Resources and Agriculture.

Hazardous
waste,—
board.

By Ms. Elugardo of Boston, a petition (accompanied by bill, House, No. 3874) of Nika C. Elugardo and others for an investigation and study by a special commission (including members of the General Court) relative to health insurance coverage for medically necessary treatment in public schools;

Health
insurance,—
study.

By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3875) of David Henry Argosky LeBoeuf and others relative to insurance coverage of medicinal cannabis;

Insurance,—
medicinal
cannabis.

By the same member, a petition (accompanied by bill, House, No. 3876) of David Henry Argosky LeBoeuf and others for legislation to establish a low income checking account access program; and

Checking
accounts,—
low income.

By the same member, a petition (accompanied by bill, House, No. 3877) of David Henry Argosky LeBoeuf and others relative to the cost of certain life saving prescription drugs, so-called;

Prescription
drugs,—
costs.

Severally to the committee on Financial Services.

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 3878) of Mike Connolly and others relative to municipal financing of the production and preservation of housing for low and moderate income persons;

Housing,—
municipal
financing.

By Mr. DeCoste of Norwell, a petition (accompanied by bill, House, No. 3879) of David F. DeCoste and others relative to expanding the definition of affordable housing to include manufactured homes;

Manufactured
homes.

By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3880) of David Henry Argosky LeBoeuf and others for legislation to establish a registry of properties and property owners with multiple violations of health and safety codes; and

Health and
safety code,—
registry.

By the same member, a petition (accompanied by bill, House, No. 3881) of David Henry Argosky LeBoeuf and others that the Department of Housing and

Rental
assistance
program.

Community Development establish a rental assistance program for certain persons over the age of 75 years;

Severally to the committee on Housing.

By Representatives DeCoste of Norwell and Garry of Dracut, a petition (accompanied by bill, House, No. 3882) of David F. DeCoste, Colleen M. Garry and others relative to victims of rape and children conceived during the commission of said offense. To the committee on the Judiciary.

Rape victims.

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 3883) of Mike Connolly and others relative to local zoning ordinances or by-laws. To the committee on Municipalities and Regional Government.

Local zoning ordinances.

By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3884) of David Henry Argosky LeBoeuf and others relative to informed consent of opioid-based prescriptions. To the committee on Public Health.

Opioid prescriptions.

By Mr. Crocker of Barnstable, a petition (accompanied by bill, House, No. 3885) of William L. Crocker, Jr., and others for an investigation and study by a special commission (including members of the General Court) relative to police career pay incentives. To the committee on Public Safety and Homeland Security.

Police pay,— study.

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3886) of James Arciero and Anthony Vacca relative to the exemption of the sales or use tax for leased motor vehicles;

Leased motor vehicles,— taxes.

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 3887) of Mike Connolly and others for legislation to establish a homelessness prevention and reduction fund to be funded by taxes on gross receipts of business entities;

Homelessness,— fund.

By the same member, a petition (accompanied by bill, House, No. 3888) of Mike Connolly and others relative to taxation;

Taxation.

By the same member, a petition (accompanied by bill, House, No. 3889) of Mike Connolly and others that cities and towns be authorized to establish an excise tax on vacant units in large residential buildings;

Vacant units,— excise tax.

By Mr. Crocker of Barnstable, a petition (accompanied by bill, House, No. 3890) of William L. Crocker, Jr., and others for legislation to authorize cities and towns to freeze the property taxes of senior citizens;

Seniors,— property tax.

By Ms. Elugardo of Boston, a petition (accompanied by bill, House, No. 3891) of Nika C. Elugardo and others for legislation to establish a permanent advisory commission (including members of the General Court) to investigate and study the maximizing of the Commonwealth's return on investment for tax expenditures and to provide assessment, evaluation and measurement tools for tax expenditures; and

Tax expenditures,— study.

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3892) of Kay Khan and others for legislation to establish a realistic advertising tax credit;

Advertising,— tax credit.

Severally to the committee on Revenue.

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 3893) of Mike Connolly and others for an investigation and study by a task force (including members of the General Court) relative to public ownership of public utilities; and

Utilities,— public ownership.

By Ms. Nguyen of Andover, a petition (accompanied by bill, House, No. 3894) of Tram T. Nguyen and others relative to property damages caused by public utility companies;

Utility companies,— damages.

Severally to the committee on Telecommunications, Utilities and Energy.

By Mr. Barrett of North Adams, a petition (accompanied by bill, House, No. 3895) of John Barrett, III and others relative to regional transit authority funding; and

Regional transit,— funding.

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3896) of Shawn Dooley and Michael J. Soter relative to financial assistance to the Massachusetts Bay Transportation Authority from cities and towns;

MBTA,—
financial
assistance.

Severally to the committee on Transportation.

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 3897) of James Arciero and others that the University of Massachusetts medical school develop a continuing education program for counselors at public institutions of higher education regarding post-traumatic stress disorder and other service member and veteran related issues. To the committee on Veterans and Federal Affairs.

UMass,—
Post-traumatic
stress program.

Severally sent to the Senate for concurrence.

Petitions.

Ms. Hogan of Stow presented a petition (accompanied by bill, House, No. 3870) of Kate Hogan (by vote of the town) that the town of Maynard be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on premise; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Maynard,—
liquor
license.

Mr. Puppolo of Springfield presented a petition (subject Joint Rule 12) of Angelo J. Puppolo, Jr., for legislation to establish a sick leave bank for Paul A. Wilson, an employee of the Department of Developmental Services; and the same was referred, under Rule 24, to the committee on Rules.

Paul
Wilson,—
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. Garballey of Arlington, 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 Ms. Cronin of Easton, a petition (subject to Joint Rule 12) of Claire D. Cronin relative to payments following settlements by insurance companies.

Insurance,—
payments.

By Mr. Cutler of Duxbury, a petition (subject to Joint Rule 12) of Josh S. Cutler relative to deeds excise receipts.

Deeds
excise.

By Mr. Devers of Lawrence, a petition (subject to Joint Rule 12) of Marcos A. Devers relative to motor vehicle registration fees and transit fees for veterans.

Veterans,—
fees.

By Mr. Hendricks of New Bedford, a petition (subject to Joint Rule 12) of Christopher Hendricks and Susannah M. Whipps relative to civil actions for unfair or deceptive practices.

Deceptive
practices,—
civil actions.

By Mr. Vargas of Haverhill, a petition (subject to Joint Rule 12) of Andres X. Vargas and others relative to vaccination and immunization for school admittance.

Vaccinations,—
schools.

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

Papers from the Senate.

A Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey or lease certain real property in the town of Templeton (Senate, No. 2256) (on Senate, bill No. 1854), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Templeton,—
land.

A Bill designating a certain park in the city of Lynn as the Frederick Douglass Park (Senate, No. 2205) (on Senate, bill No. 442), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lynn,—
Douglass
park.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2249) of Anne M. Gobi and Jonathan D. Zlotnik (by vote of the town) for legislation relative to the charter of the town of Winchendon;

Winchendon,—
charter.

Petition (accompanied by bill, Senate, No. 2242) of Patrick M. O'Connor and Joan Meschino (by vote of the town) for legislation relative to the procedure for municipal acceptance of subdivision roads in the town of Hingham; and

Hingham,—
roads.

Petition (accompanied by bill, Senate, No. 2246) of Patrick M. O'Connor, Josh S. Cutler and Kathleen R. LaNatra (by vote of the town) for legislation relative to the Board of Selectmen of the town of Duxbury;

Duxbury,—
selectmen.

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, Senate, No. 2251) of Anne M. Gobi and Kimberly N. Ferguson (by vote of the town) for legislation relative to the Deputy Fire Chief of the town of Rutland. To the committee on Public Service.

Rutland,—
deputy fire
chief.

Petition (accompanied by bill, Senate, No. 2243) of Patrick M. O'Connor and Joan Meschino (by vote of the town) for legislation relative to the establishment of a Hingham means-tested property tax exemption. To the committee on Revenue.

Hingham,—
property tax.

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

Petition (accompanied by bill, Senate, No. 2258) of Michael J. Rodrigues, Patricia A. Haddad, Steven S. Howitt, Carole A. Fiola and other members of the General Court for legislation to designate a certain building in the city of Fall River as the Captain Thomas Hudner Jr. Memorial Building. To the committee on Environment, Natural Resources and Agriculture.

Fall River,—
Hudner
building.

Petition (accompanied by bill, Senate, No. 2259) of Walter F. Timilty for legislation to require a parent or guardian who is exempt from property tax to reimburse a child's school for tuition. To the committee on Municipalities and Regional Government.

Tuition,—
property tax
exemption.

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 Todd M. Smola, Anne M. Gobi and Timothy R. Whelan for legislation to establish a sick leave bank for Kyle Minnicucci, an employee of the State Police. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Kyle
Minnicucci,—
sick leave.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Tanycha Bonilla, an employee of the Department of Children and Families (House, No. 3861). Read; and referred, under

Tanycha
Bonilla,—
sick leave.

Rule 7A, to the committee on Steering, Policy and Scheduling.

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. Garballey of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under further suspension of the rules, on motion of Mr. Mariano of Quincy, the bill (having been 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.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill to establish a sick leave bank for Susan Purcell, an employee of the Department of Children and Families (House, No. 3862). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Susan
Purcell,—
sick leave.

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. Garballey of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

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

Senate bills

Authorizing the town of Groveland to continue the employment of Joseph Santapaola as a member of the Groveland fire department (Senate, No. 1585) [Local Approval Received]; and

Groveland,—
Joseph
Santapaola.

Crediting the stabilization fund for the sale of the former Milton L. Fuller School property in the city of Gloucester (Senate, No. 2195) [Local Approval Received]; and

Gloucester,—
fund.

House bills

Expanding agriculture preservation restrictions for hemp cultivation (House, No. 3535);

Hemp
cultivation.

Relative to the enhancement of child safety (House, No. 3627);

Child safety.

To dissolve the Newburyport Redevelopment Authority and transfer its lands to the city of Newburyport (House, No. 3698) [Local Approval Received]; and

Newburyport,—
redevelopment.

Authorizing the town of Plymouth to continue employment of G. Edward Bradley (House, No. 3742) [Local Approval Received];

Plymouth,—
Edward Bradley.

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

By Mr. Pignatelli of Lee, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Resolve to establish a special commission to perform an investigation and providing for a study relative to the long term management, maintenance and future use of the Boston Harbor Long and Moon Islands (House, No. 729). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Harbor islands,—
maintenance.

By Mr. Pignatelli of Lee, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the Sudbury watershed advisory committee (House, No. 767).

Sudbury
watershed
advisory.

By the same member, for the same committee, on a petition, a Bill relative to

Fee

annual compliance fee exemption (House, No. 831).

By the same member, for the same committee, on a petition, a Bill relative to the use of Department of Conservation and Recreation property for farmers markets and community gardens (House, No. 871).

By the same member, for the same committee, on House, No. 846, a Bill relative to the use of crossbows in hunting (House, No. 3866).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Pignatelli of Lee, for the committee on Environment, Natural Resources and Agriculture, on House, No. 888, a Bill designating a certain water spray deck park within the Department of Conservation and Recreation's Melnea A. Cass Recreation Complex in the Roxbury neighborhood of the city of Boston as the "Nakieka 'Kiki' Taylor water deck" (House, No. 3867). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

exemptions.
Farmers
markets
and gardens.

Hunting,—
crossbows.

Boston,—
Taylor
water deck.

Orders of the Day.

House bills

Establishing a sick leave bank for Sheri Panas, an employee of the Department of Unemployment Assistance (House, No. 3816); and

Establishing a sick leave bank for Debra Messier, an employee of the Department of Revenue (House, No. 3849);

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. Severally sent to the Senate for concurrence.

Third
reading
bills.

The House Bill establishing a sick leave bank for Jennifer Desjardins [sic] an employee of the Department of Children and Families (House, No. 3850), reported by the committee on Bills in the Third Reading to be correctly drawn, read a third time.

Jennifer
Desjardins,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 3850, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recesses.

At twelve o'clock noon, on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and at seven minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Ms. Gifford, until three o'clock P.M.; and at three minutes after three o'clock the House was called to order with Mr. Donato in the Chair.

Resolutions.

Resolutions (filed with the Clerk by Ms. Ferrante of Gloucester) designating August 10th and 11th, 2019 as the sales tax holiday (House, No. 3899), were referred, under Rule 85, to the committee on Rules.

Sales tax holiday.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Ferrante, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

Pending the question on adoption of the resolutions, the same member moved to amend them in line 3 by striking out the words "tenth and eleventh" and inserting in place thereof the words "seventeenth and eighteenth"; and in the title by striking out the following: "10th and 11th" and inserting in place thereof the following: "17th and 18th". The amendments were adopted; and the resolutions (House, No. 3899, published as amended) then also were adopted.

Paper from the Senate.

A Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2255) (on a part of House, No. 3819), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Supplemental appropriations.

Mr. Michlewitz of Boston, for said committee, then reported recommending that the foregoing bill ought to pass [Total appropriation: \$3,500,000.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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 the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently 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; and it was passed to be engrossed, in concurrence.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2255), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Supplemental appropriations.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency

Bill

preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M. Next sitting.

At seven minutes before four o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.