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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, JUNE 19, 2019.**

[59]\*

# JOURNAL OF THE HOUSE.

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Wednesday, June 19, 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:

God of Strength and Reliability, we ask Your Blessing upon the members of this House Chamber and upon all who work in it and throughout our historic State House.

Prayer.

We give thanks for the energy that is poured into the creation of legislation. We pray for listening hearts and minds as this session continues.

Today is the anniversary of the 1806 renaming of the town of Partridgefield to its current name, Peru.

Located in Berkshire County, Peru was originally named after one of the town's founders, Olive Partridge. The name was changed to Peru on the advice of a popular Baptist minister, John Leyland, who suggested the town "is like the Peru of South America, a mountain town, and if no gold or silver mines are under her rocks, she favors hard money and begins with a P."

Indeed, Peru ranks number 1 in mean elevation of all Massachusetts' 351 cities and towns making Peru's citizens the highest-minded and highest-educated in the state.

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.

## *Statement Concerning Representative Nguyen of Andover.*

A statement of Mrs. Haddad of Somerset concerning Ms. Nguyen of Andover 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 Nguyen of Andover, is unable to be present in the House Chamber for today's sitting due to state business outside of the Commonwealth. Her missing of roll calls today is due entirely to the reason stated.

Statement concerning Ms. Nguyen of Andover.

## *Petitions.*

Petitions severally were presented and referred as follows:

By Representative Blais of Sunderland and Senator Hinds, a joint petition (accompanied by bill, House, No. 3906) of Natalie M. Blais and Adam G. Hinds (by vote of the town) for legislation to validate the actions taken at the annual town election held on May 4, 2019 in the town of Chester. To the committee on Election

Chester,— election.

Laws.

By Representative Mark of Peru and Senator Comerford, a joint petition (accompanied by bill, House, No. 3907) of Paul W. Mark and Joanne M. Comerford (by vote of the town) that the town of Northfield be authorized to increase the size of the board of selectmen from three to five members; and

Northfield,—  
selectmen.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3908) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Eastham be authorized to establish a water connection assistance program for property owners;

Eastham,—  
water  
connections.

Severally to the committee on Municipalities and Regional Government.

By Mr. DeLeo of Winthrop, a petition (accompanied by bill, House, No. 3909) of Robert A. DeLeo and Joseph A. Boncore (with the approval of the town council) that the town of Winthrop be authorized to continue the employment of Paul E. Flanagan as fire chief of said town. To the committee on Public Service.

Winthrop,—  
Paul  
Flanagan.

Severally sent to the Senate for concurrence.

Representative Wagner of Chicopee and Senator Humason presented a joint petition (subject to Joint Rule 12) of Joseph F. Wagner, Donald F. Humason, Jr., and Nicholas A. Boldyga for legislation to establish a sick leave bank for Thomas Lingenberg, an employee of the Soldiers' Home in Holyoke; and the same was referred, under Rule 24, to the committee on Rules.

Thomas  
Lingenberg,—  
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. Mariano of Quincy, 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.

*Papers from the Senate.*

Petitions severally were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2261) of Bruce E. Tarr, Lenny Mirra and Tram T. Nguyen (by vote of the town) for legislation relative to the granting of alcoholic beverages licenses in the town of Boxford. To the committee on Consumer Protection and Professional Licensure.

Boxford,—  
liquor  
licenses.

Petition (accompanied by bill, Senate, No. 2260) of Dean A. Tran (by vote of the town) for legislation to authorize the town of Townsend to continue the employment of Richard Bailey as police chief. To the committee on Public Service.

Townsend,—  
Richard  
Bailey.

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

Petition (accompanied by bill, Senate, No. 2266) of Nick Collins, Edward J. Kennedy and David Henry Argosky LeBoeuf for legislation to invest in the Commonwealth's schools. To the committee on Education.

Schools,—  
resources.

Petition (accompanied by bill, Senate, No. 2267) of Nick Collins and David Henry Argosky LeBoeuf for legislation relative to the SMART Plan. To the committee on Public Service.

Employees,—  
SMART plan.

Petition (accompanied by bill, Senate, No. 2268) of Nick Collins and David Henry Argosky LeBoeuf for legislation relative to the 401(k) CORE program. To the committee on State Administration and Regulatory Oversight.

401(k)  
CORE  
program.

*Reports of Committees.*

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 expanding agriculture preservation restrictions for hemp cultivation (House, No. 3535) [for order, see House, No. 3905]. The order was adopted.

Hemp cultivation,—  
procedures.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 7A be suspended on the petition of Patricia A. Haddad that the Bristol County Retirement Board be authorized to grant creditable service to Christopher R. Carreiro. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rules 12 and 7A were suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Christopher Carreiro,—  
retirement.

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 James Arciero and others relative to representation of special education parent advisory councils on school committees. To the committee on Education.

School committees,—  
representation.

Petition (accompanied by bill) of Kathleen R. LaNatra relative to extending the limitation on wrongful death actions. To the committee on the Judiciary.

Wrongful deaths.

Joint petition (accompanied by bill) of Bradford Hill and Bruce E. Tarr for legislation to establish a sick leave bank for Michelle Kitchen-Taraska, an employee of the Department of Developmental Services. To the committee on Public Service.

Michelle Kitchen-Taraska.

Petition (accompanied by bill) of Josh S. Cutler relative to deeds excise receipts. To the committee on Revenue.

Deeds excise receipts.

Petition (accompanied by bill) 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. To the committee on State Administration and Regulatory Oversight.

Norfolk,—  
land.

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

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain bridge in the city of Framingham as the Deanna K. Richards memorial bridge (House, No. 3067), be scheduled for consideration by the House.

Framingham,—  
Richards  
bridge.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Paul A. Wilson, an employee of the Department of Developmental Services (House, No. 3900).

Paul Wilson,—  
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Kyle Minnicucci, an employee of the Massachusetts State Police (House, No. 3901).

Kyle Minnicucci,—  
sick leave.

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

*Recess.*

At twelve minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at thirteen minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

*Order.*

On motion of Mr. Galvin of Canton,—

*Ordered,* That, Notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Messrs. Straus of Mattapoisett, Wagner of Chicopee and Whelan of Brewster while said members are involved in conference committee negotiations.

Hands free  
driving bill  
conferees,—  
voting.

*Reports of Committees.*

Prior to the noon recess, By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill relative to appraisal management companies (House, No. 1114), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3904). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Appraisal  
management.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Stanley of Waltham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Murphy of Weymouth; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to  
be engrossed,—  
yea and nay  
No. 78.

**[See Yea and Nay No. 78 in Supplement.]**

[Ms. Minnicucci of North Andover answered "Present" in response to her name.]

Therefore the bill (House, No. 3904) was passed to be engrossed. Sent to the Senate for concurrence.

Prior to the noon recess, By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill relative to certain affordable housing in the South End section of the city of Boston (House, No. 3696) [Local Approval Received],

Boston,—  
South End  
housing.

ought to pass. 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 Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under 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. Sent to the Senate for concurrence.

*Motion to Discharge a Certain Matter in the Orders of the Day.*

The House Bill expanding agriculture preservation restrictions for hemp cultivation (House, No. 3535), reported by the committee on Bills in the Third Reading 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 Mr. Rogers of Cambridge.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 79 in Supplement.]**

Therefore the bill (House, No. 3535) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Mr. Murray of Milford 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, during the previous roll call, I was absent from the House Chamber on official business in another part of the State House and therefore I was not recorded. Had I been present, I would have voted in the affirmative.

*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.

Hemp cultivation.

Bill passed to be engrossed,—  
yea and nay  
No. 79.

Next sitting.

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Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at three minutes before four o'clock P.M. (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.