
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, AUGUST 12, 2019.

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Monday, August 12, 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.

Resolutions.

Resolutions (filed with the Clerk by Mrs. Poirier of North Attleborough) congratulating and recognizing Michael Brousseau on his retirement as fire chief for the town of North Attleborough, were referred, under Rules 85, to the committee on Rules.

Michael
Brousseau.

Mr. Galvin of Canton, for the committee on Rules, reported that the resolutions ought to be adopted. Under suspension of the rules, 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.

Communications.

Communications

From the Department of Public Health (see Section 25A of Chapter 112 of the General Laws) submitting the annual report on investigatory and disciplinary actions conducted by the Board of Registration in Pharmacy for the calendar year 2018; and

Pharmacy
board,—
investigations.

From the Insurance Fraud Bureau (see Section 1(k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) submitting a semi-annual report relative to referrals involving automobile insurance fraud, workers' compensation fraud and other insurance fraud [copies of said report were forwarded to the committees on Financial Services and Labor and Workforce Development];

Insurance
fraud.

Severally were placed on file.

Annual and Special Reports.

The annual report of the Bureau of Health Professions Licensure (under sections 9G, 25, 43 and 78 of Chapter 112 of the General Laws) submitting a consolidated report of all statutorily mandated reports for the boards of registration for physician assistants; pharmacy; dentistry; and nursing; and additional reports of the boards of registration of genetic counselors; nursing home administrators; perfusionists; respiratory care; naturopathy; drug control program; and prescription monitoring; and additional reports of the Board of Certification of Community

Health
professions,—
licensure.

Health Workers, for the fiscal year 2018; and

A quarterly report of the Department of Public Health (under item 4513-1020 of Chapter 154 of the Acts of 2018) submitting the Early Intervention program report for the third quarter of fiscal year 2019;

Severally were placed on file.

Early
Intervention.

Petitions.

Representative Frost of Auburn and Senator Moore presented a joint petition (accompanied by bill, House, No. 4047) of Paul K. Frost and Michael O. Moore (by vote of the town) relative to sewer regulations in the town of Auburn; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Auburn,—
sewer
regulations.

Petitions severally were presented and referred as follows:

By Mr. Day of Stoneham, a petition (subject to Joint Rule 12) of Michael S. Day and others relative to the establishment of a grant program for the education and prevention of hate crimes and incidences of bias in public schools.

Schools,—
hate crimes.

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley and John H. Rogers relative to the regulation of the practice of dry needling, trigger point acupuncture, or intramuscular therapy.

Dry needling,
etc.

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of Louis L. Kafka relative to panic alarms and emergency mechanisms at public elementary and secondary schools.

Schools,—
alarms.

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

Papers from the Senate.

The engrossed Bill establishing a sick leave bank for Marilyn O'Neil, an employee of the Executive Office of Public Safety and Security (see Senate, No. 2301), came from the Senate with the endorsement that it had been returned to said branch by His Excellency the Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendments (for message, see Senate, No. 2319).

Marilyn
O'Neil,—
sick leave.

The bill bore the further endorsement that the Senate had adopted said amendments (in the form approved by the Senate committee on Bills in the Third Reading) as follows:

By striking out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding any general or special law to the contrary, the sex offender registry board shall establish a sick leave bank for Marilyn O'Neil, an employee of the board. Any employee of the board may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by Marilyn O'Neil. If Marilyn O'Neil terminates employment with the board or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the extended illness leave bank. Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the board.”; and by striking out the title and inserting in place thereof the following title: “An Act establishing a sick leave bank for Marilyn O'Neil, an employee of the sex offender registry board.”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn; and the report was accepted.

Mr. Speliotis of Danvers then moved that the House concur with the Senate in its amendments with a further amendment striking out the emergency preamble and inserting in place thereof 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 sex offender registry board, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The further amendment was adopted.

The House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

A Bill designating United States Cadet Nurse Corps Day (Senate, No. 2178, changed in line 3 by striking out the words “fifteenth day of June” and inserting in place thereof the words “first day of July”) (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.

Cadet Nurse
Corps day.

Reports

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

Of the petition (accompanied by bill, Senate, No. 716) of Marc R. Pacheco for legislation to remove the restrictions on the licenses of certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission;

Nurse
anesthetists,—
licensing.

Of the petition (accompanied by bill, Senate, No. 1215) of Harriette L. Chandler, Kate Hogan, Smitty Pignatelli, Jason M. Lewis and other members of the General Court for legislation to improve oral health for all Massachusetts residents;

Oral
health.

Of the petition (accompanied by bill, Senate, No. 1235) of Julian Cyr, Walter F. Timilty, Paul R. Feeney, Jason M. Lewis and other members of the General Court for legislation relative to step therapy and patient safety; and

Step therapy
and patient
safety.

Of the petition (accompanied by bill, Senate, No. 1293) of Jason M. Lewis, Harriette L. Chandler, James T. Welch, Paul A. Schmid, III and other members of the General Court for legislation to promote public health through the prevention and wellness trust fund.

Public
health,—
fund.

And recommending that the same severally be referred to the committee on Health Care Financing.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

A petition of Nick Collins, Daniel R. Cullinane and Russell E. Holmes for legislation relative to the Boston residents job policy, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Boston,—
residential
preference.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2320) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the House Bill amending the charter of the town of Nantucket (House, No. 4011) [Local Approval Received], be scheduled for consideration by the House.

Nantucket,—
charter.

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill amending the town manager act of the town of Arlington relative to the appointment and management of the town treasurer (House, No. 3978) [Local Approval Received].

Arlington,—
treasurer.

By the same member, for the same committee, on a petition, a Bill relative to the gender neutral redraft of the home rule charter of the town of Easton (House, No. 3984) [Local Approval Received].

Easton,—
charter.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Andover (House, No. 3985) [Local Approval Received].

Andover,—
charter.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Fairhaven to transfer an interest in certain park land (House, No. 4009) [Local Approval Received].

Fairhaven,—
land.

By Mr. Parisella of Beverly, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Thelma J. Williams, an employee of the Commission for the Blind (House, No. 4032).

Thelma
Williams,—
sick leave.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Marilyn O'Neil, an employee of the Sex Offender Registry Board (see Senate, No. 2301, amended), 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.

Marilyn
O'Neil,—
sick leave.

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 2 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) (which had been returned by His Excellency the Governor with recommendation of amendments), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

The engrossed Bill designating a certain park in the city of Lynn as the Frederick Douglass park (see Senate, No. 2205), 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.

Lynn,—
Douglass
park.

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 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.

Bill enacted.

Engrossed Bills.

Engrossed bills

Exempting the position of sealer of weights and measures in the town of Lynnfield from the civil service law (see House, No. 3815);

Bills enacted.

Authorizing the appointment of retired police officers in the town of Avon to serve as special police officers (see House, No. 3823); and

Authorizing the town of Hudson to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3848);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill authorizing the town of Norwood to continue the employment of police chief William G. Brooks, III (House, No. 2356), 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At six minutes before one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.