
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, NOVEMBER 12, 2019.

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JOURNAL OF THE HOUSE.

Tuesday, November 12, 2019.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Nangle of Lowell 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. Nangle), 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 Mr. Straus of Mattapoisett) congratulating the Lions Club of Fairhaven, Inc. on the seventy-fifth anniversary of its establishment, were referred under Rule 85, to the committee on Rules.

Fairhaven,—
Lions Club.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Walsh of Peabody, 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 Cannabis Control Commission (see Section 4 of Chapter 94G of the General Laws) on the commission's activities regarding the adult-use marijuana program;

Cannabis
Control
Commission.

From the Department of Transitional Assistance (see Section 10 of Chapter 18 of the General Laws) submitting the annual report on the operations, organization and responsibilities of said department for the fiscal year 2019;

Transitional
assistance.

From the Department of Youth Services (see Section 16 of Chapter 123A of the General Laws) relative to sexually dangerous persons in the custody of the department during the fiscal year 2019 [copies of said report were forwarded to the committee on Ways and Means and the committee on the Judiciary as required by said law];

Sexually
dangerous
persons.

From the Executive Office of Education (see Section 2 of Chapter 287 of the Acts of 2012) submitting an annual report on the activities of the Early Literacy Expert Panel for the fiscal year 2019 [copies of said report were forwarded to the committees on Education and Higher Education as required by said law];

Early
literacy.

From the Massachusetts Clean Energy Center (see Section 5 of Chapter 23J of the General Laws) stating that they were not able to complete work on the 2019 industry report and financial statement by the August 15 deadline, and that they intend to file said report by December 31, 2019 [copies of the communication were forwarded to the committees on Ways and Means, Economic Development and Emerging Technologies, and Telecommunications, Utilities and Energy as required by said law];

Clean
Energy
Center.

From the Massachusetts Department of Transportation (see Section 28 of Chapter 6C of the General Laws) submitting the revenue and expense report for the fiscal year 2019; and

MassDOT.

From the Operational Services Division (see Section 4 of Chapter 219 of the Acts of 2016 and Section 88 of Chapter 154 of the Acts of 2018) relative to establishing goals for participation of individuals with disabilities in all areas of state procurement contracting and an interim report on the progress of a pilot program to promote the recruitment, hiring, promotion and retention of individuals with disabilities;

Individuals with disabilities,—
state contracts.

Severally were placed on file.

Petitions.

Mr. Vieira of Falmouth presented a petition (accompanied by bill, House, No. 4191) of David T. Vieira (by vote of the town) that the town of Mashpee be authorized to convey certain town owned conservation land to Mark and Donna Lopez; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Mashpee,—
Mark and
Donna Lopez.

Petitions severally were presented and referred as follows:

By Mr. Berthiaume of Spencer, a petition (subject to Joint Rule 12) of Donald R. Berthiaume, Jr., for legislation to establish a sick leave bank for Amy Glidden, an employee of the Department of Children and Families.

Amy Glidden,—
sick leave.

By Ms. Cronin of Easton, a petition (subject to Joint Rule 12) of Claire D. Cronin relative to motorized shopping carts in food stores or warehouse clubs.

Motorized
shopping carts.

By Representatives Day of Stoneham and Harrington of Groton, a petition (subject to Joint Rule 12) of Michael S. Day and Sheila C. Harrington relative to the information technology systems and capacities of the judiciary.

Technology
systems.

By Mr. Parisella of Beverly, a petition (subject to Joint Rule 12) of Jerald A. Parisella relative to the waiving of certain interest, charges or fees by tax collectors.

Interest
fees.

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

Papers from the Senate.

A Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Natick for the reconstruction of a portion of North Main Street (printed in Senate, No. 2316), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Natick,—
land.

A Bill authorizing certain investments by the treasurer of the town of Cohasset (Senate, No. 2230, amended in section 1, in line 2, by inserting after the word “any” the word “trust”) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Cohasset,—
investments.

A petition of Nick Collins for legislation relative to the expansion of the Boston Convention and Exhibition Center, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

BCEC,—
expansion.

The House then concurred with the Senate in the suspension of said rule; and

the petition (accompanied by bill, Senate, No. 2403) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

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:

Joint petition (accompanied by bill) of Paul McMurtry and Michael F. Rush for legislation to establish a special commission (including members of the General Court) relative to the bulk purchase of epinephrine auto-injectors. To the committee on Public Health.

Epinephrine,—
bulk
purchasing.

Petition (accompanied by bill) of Gerard J. Cassidy for legislation to establish a sick leave bank for Karlene Derozier, an employee of the Department of Public Health; and

Karlene
Derozier,—
sick leave.

Petition (accompanied by bill) of Susan Williams Gifford and Marc R. Pacheco for legislation to establish a sick leave bank for Racquel Cardoza, an employee of the Department of Transitional Assistance;

Racquel
Cardoza,—
sick leave.

Severally to the committee on Public Service.

Petition (accompanied by bill) of Brian M. Ashe and others relative to the income tax deduction for medical, dental and other expenses. To the committee on Revenue.

Medical
expenses.

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

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 to regulating flavored tobacco products (House, No. 4089) [for order, see House, No. 4185]. The order was adopted.

Tobacco
control,—
procedures.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill regulating flavored tobacco products (House, No. 4089), ought to pass with an amendment substituting therefor a Bill modernizing tobacco control (House, No. 4183). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Tobacco
control.

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. Walsh of Peabody, 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.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to grant an easement in the town of Princeton (House, No. 3990), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4184). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Princeton,—
land.

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. Walsh of Peabody, 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.

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

Protecting motorists and emergency personnel (House, No. 3068);

Relative to the move over law (House, No. 3584);

Exempting certain positions in the city known as the town of West Springfield from the civil service law (House, No. 4042) [Local Approval Received];

Exempting the police chief of the town of Plainville from the civil service law (House, No. 4053) [Local Approval Received];

Exempting certain positions in the police department of the town of Plainville from the civil service law (House, No. 4054) [Local Approval Received]; and

To prevent jaywalking (House, No. 4181);

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to emergency stock supply of epinephrine in schools (House, No. 463).

By the same member, for the same committee, on a petition, a Bill improving students' access to life saving treatments (House, No. 508).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 474). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill providing for alternatives to fines for failure to send (House, No. 453).

By the same member, for the same committee, on a petition, a Bill establishing an interscholastic athletic competition working group (House, No. 464).

By the same member, for the same committee, on House, Nos. 504 and 570, a Bill relative to non-public school student access to the MCAS exam (House, No. 504).

By the same member, for the same committee, on a petition, a Bill relative to improving teacher preparation and certification (House, No. 546).

By the same member, for the same committee, on a petition, a Bill regarding breakfast after the bell (House, No. 591).

By the same member, for the same committee, on House, No. 575, a Bill relative to clean energy generation at the Essex North Shore Agricultural and Technical School (House, No. 4182).

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

Speeding.
Move over law.
West
Springfield.
Plainville,—
civil service.
Id.
Jaywalking.

Schools,—
epinephrine.
Hypoglycemia,—
treatments.

Children,—
suicide.

Schools,—
attendance.

Schools,—
athletics.

MCAS,—
access.

Teachers,—
certification.

Schools,—
breakfast.

Essex North
Shore,—
clean energy.

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill designating a certain area in the Dorchester section of the city of Boston in memory of Carl E. Hosea, Jr. (House, No. 807), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Wilfredo Bosque-Rosa, an employee of the Department of Correction (see Senate, No. 2356, 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.

Wilfredo
Bosque-Rosa,—
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 6 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.

The engrossed Bill establishing a sick leave bank for Patricia Foley, an employee of the Massachusetts Department of Transportation (see House, No. 4151), 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.

Patricia
Foley,—
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 6 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of state land in the town of Needham now under the care and control of the Department of Conservation and Recreation (see House, No. 4077), 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.

Needham,—
land.

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 6 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill regulating the capital expenditures committee of the town of Lexington (see House, No. 4035) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

Senate bills

Revising the charter of the town of Groton (Senate, No. 1192);
Validating the results of the annual town election held in the town of Heath on May 10, 2019 (printed in Senate, No. 2234); and

Third
reading
bills.

Validating actions taken in connection with an annual town meeting and an annual town election in the town of Westhampton (printed in Senate, No. 2327);

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, in concurrence.

The House Bill relative to the funding of the other post-employment benefits liability trust fund in the town of Uxbridge (House, No. 4097), 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.

The House Bill authorizing the town of Williamsburg to continue the employment of Michael Wayne, a member of the police department of the town of Williamsburg (House, No. 3955) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Williamsburg,—
Michael
Wayne.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Notwithstanding any general or special law to the contrary, Michael Wayne, a member of the police department of the town of Williamsburg, may continue in the position until he reaches 70 years of age, the date of his retirement or until his non reappointment, whichever first occurs; provided, however, that deductions from the regular compensation of Michael Wayne shall not be made pursuant to chapter 32 of the General Laws for any service subsequent to his reaching the age of 65 and upon retirement he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired at the age of 65.

SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 3955, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at ten o'clock A.M.

Next
sitting.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Nangle of Lowell being in the Chair), the House adjourned, to meet the following day at ten o'clock A.M.