
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, NOVEMBER 19, 2019.

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JOURNAL OF THE HOUSE.

Tuesday, November 19, 2019.

Met at seventeen minutes after 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).

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.

Petitions.

Representative O'Day of West Boylston and Senator Chandler presented a joint petition (accompanied by bill, House, No. 4214) of James J. O'Day and Harriette L. Chandler (by vote of the town) that the town of West Boylston be authorized to rename the board of selectmen in said town to the select board; and the same was referred, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

West
Boylston,—
select board.

Mr. Kearney of Scituate presented a petition (subject to Joint Rule 12) of Patrick Joseph Kearney relative to reclassification of sex offenders by the Sex Offender Registry Board; and the same was referred, under Rule 24, to the committee on Rules.

Sex offenders,—
reclassification.

Papers from the Senate.

A Bill relative to pharmaceutical access, costs and transparency (Senate, No. 2409) (on Senate bill No. 2397), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Prescription
drugs.

A report of the committee on Labor and Workforce Development, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1093) of Jason M. Lewis, Thomas M. Stanley, Kay Khan, Cindy F. Friedman and other members of the General Court for legislation to require health care facilities to develop and implement programs to prevent workplace violence, and recommending that the same be referred to the committee on Public Safety and Homeland Security,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Health care,—
workplace
violence.

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

Petition (accompanied by bill, Senate, No. 2414) of James B. Eldridge for legislation relative to emergency lighting in senior housing. To the committee on Elder Affairs.

Senior
housing,—
lighting.

Petition (accompanied by bill, Senate, No. 2416) of Joan B. Lovely for

Insurance,—
naloxone.

legislation to prohibit discrimination in insurance on the basis of having a naloxone prescription. To the committee on Financial Services.

Petition (accompanied by bill, Senate, No. 2413) of James B. Eldridge for legislation to provide criminal justice reform protections to all prisoners in segregated confinement. To the committee on Public Safety and Homeland Security.

Petition (accompanied by bill, Senate, No. 2415) of Ryan C. Fattman and Joseph D. McKenna for legislation to establish a sick leave bank for Elliot Brown, an employee of the Executive Office of Health and Human Services. To the committee on Public Service.

Prisoners,—
protections.

Elliot
Brown,—
sick leave.

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 Sarah K. Peake for legislation to enhance certified municipal energy plans. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

Municipal
energy
plans.

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the Senate Bill providing for the exchange of certain park land in the town of Rockland (Senate, No. 2374) [Local Approval Received], be scheduled for consideration by the House.

Rockland,—
land.

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. Mahoney of Worcester, for the committee on Public Health, on House, No. 1933, a Bill to improve patient access to cancer clinical trial programs (House, No. 4211). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Cancer
clinical
trials.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill directing the State Board of Retirement to grant certain retirement benefits (House, No. 2229).

Virginia
Wise,—
benefits.

By the same member, for the same committee, on a joint petition, a Bill relative to veteran retirement benefits (House, No. 2274).

Veterans,—
benefits.

By the same member, for the same committee, on Senate, No. 1502 and House, No. 2333, a Bill relative to the retirement classification of certain Plymouth County Sheriff's Department employees (House, No. 2333).

Plymouth county
sheriffs,—
retirement.

By the same member, for the same committee, on Senate, No. 1588 and House, No. 2380, a Bill providing the next of kin of a police officer or firefighter killed in the line of duty with the flags of the Commonwealth and the United States (House, No. 2380).

First
responders,—
next of kin.

By the same member, for the same committee, on a petition, a Bill relative to creditable service (House, No. 3868).

Daniel
Schwemin.

By the same member, for the same committee, on House, No. 2201, a Bill clarifying the application of judicial retirement law (House, No. 4212).

Judiciary,—
retirement.

By Miss Gregoire of Marlborough, for the committee on State Administration

Lowell,—
air rights.

and Regulatory Oversight, on House, No. 3750, a Bill authorizing the city of Lowell to transfer and have air rights over certain parcels of park and state land (House, No. 4213) [Local Approval Received].

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

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing James S. Armentrout to purchase creditable service from the Barnstable County Retirement Board (House, No. 2383).

James Armentrout,— benefits.

By the same member, for the same committee, on Senate, No. 2219 and House, No. 3677, a Bill authorizing the appointing authority of the town of Bridgewater to appoint police cadets under certain circumstances to the police department of said town (House, No. 3677) [Local Approval Received].

Bridgewater,— police cadets.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Jay D. Perry, an employee of the Massachusetts Department of Transportation (House, No. 4169).

Jay Perry,— sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Judith Alexandre, an employee of Department of Children and Families (House, No. 4188).

Judith Alexandre,— sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Nelly Montanez, an employee of the Department of Environmental Protection (House, No. 4189).

Nelly Montanez,— sick leave.

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

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Daniel Kiley, an employee of the Department of Mental Health (see Senate, No. 2373) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at two minutes after one o'clock the House was called to order with the Speaker in the Chair.

Recess.

Quorum.

Mr. Donato of Medford thereupon asked for a count of the House to ascertain if a quorum was present. The Chair, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 147 members were recorded as being in attendance.

Quorum,— yea and nay No. 131.

[See Yea and Nay No. 131 in Supplement.]

Therefore a quorum was present.

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

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2250) of the House Bill requiring the hands-free use of mobile telephones while driving (House, No. 3793, amended), recommending passage of a bill with the same title (House, No. 4203), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Straus of Mattapoissett.

Distracted driving.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 154 members voted in the affirmative and 1 in the negative.

Conference committee report accepted,—yea and nay No. 132.

[See Yea and Nay No. 132 in Supplement.]

Therefore the report of the committee of conference was accepted.
Sent to the Senate for concurrence.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2377) of the House Bill relative to children's health and wellness (House, No. 4012, amended), recommending passage of a bill with the same title (House, No. 4210), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Ms. Benson of Lunenburg.

Children,—health.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call (Mr. Donato of Medford being in the Chair) 155 members voted in the affirmative and 0 in the negative.

Conference committee report accepted,—yea and nay No. 133.

[See Yea and Nay No. 133 in Supplement.]

Therefore the report of the committee of conference was accepted.
Sent to the Senate for concurrence.

Recess.

At three o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at eleven minutes before four o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill relative to children's health and wellness (see House, No. 4210), 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.

Children,—health.

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 House) was passed to be enacted; and it

Bill enacted.

was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill requiring the hands-free use of mobile telephones while driving (see House, No. 4203) (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.

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.

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 nine minutes after 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.