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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, SEPTEMBER 18, 2019.**

[96]\*

# JOURNAL OF THE HOUSE.

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Wednesday, September 18, 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).

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.

## *Silent Prayer.*

During the session, Mr. Puppolo of Springfield took the Chair, and at the request of Messrs. Puppolo, Petrolati of Ludlow, González of Springfield, Williams of Springfield, Tosado of Springfield, and Finn of West Springfield, and the entire western Massachusetts delegation, the members, guests and employees stood for a moment of silent prayer in honor of the Honorable William J. Boyle, who passed away recently after a difficult battle with ALS.

The Honorable  
William J.  
Boyle.

Judge Boyle was a former First Justice of the Springfield District Court, former Springfield City Councilor and City Council President, accomplished attorney and 8-time Boston Marathon finisher.

He leaves his wife of thirty years Rose Forcier; his daughters: Kathryn and her husband Nicholas, and Margaret; and his son Martin. He also leaves his brothers: Father Daniel Boyle of Saint Cecilia's parish in Wilbraham, and Dr. Joseph Boyle.

## *Resolutions.*

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

Resolutions (filed by Ms. Peake of Provincetown) congratulating Robert "Bob" Prescott on his retirement as Sanctuary Director of the Wellfleet Bay Wildlife Sanctuary protected by the Massachusetts Audubon Society; and

Robert  
Prescott.

Resolutions (filed by Ms. Sullivan of Abington) congratulating Chief Scott D. Benton on the occasion of his retirement;

Scott  
Benton.

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. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

## *Petitions.*

Petitions severally were presented and referred as follows:

By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 4078) of Linda Dean Campbell and Diana DiZoglio (with the approval of the mayor

Methuen,—  
liquor  
license.

and city council) that the city of Methuen be authorized to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises in said city. To the committee on Consumer Protection and Professional Licensure.

By Ms. Barber of Somerville, a petition (accompanied by bill, House, No. 4079) of Christine P. Barber and others (with the approval of the mayor and city council) that the city of Medford be authorized to impose municipal reviews on institutional master plans of certain institutional facilities in said city; and

Medford,—  
municipal  
reviews.

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 4080) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to amend the charter of said town by changing the name of the board of selectmen to select board;

Dedham,—  
select board.

Severally to the committee on Municipalities and Regional Government.

By Representative Garballey of Arlington and Senator Friedman, a joint petition (accompanied by bill, House, No. 4081) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) that the town of Arlington be authorized to establish a means tested senior citizen property tax exemption. To the committee on Revenue.

Arlington,—  
senior  
property tax  
exemption.

Severally sent to the Senate for concurrence.

Messrs. Kafka of Stoughton and McMurtry of Dedham presented a petition (subject to Joint Rule 12) of Louis L. Kafka, Paul McMurtry and others for legislation to authorize the county commissioners of Norfolk County to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at the Norfolk County Agricultural High School in the town of Walpole; and the same was referred, under Rule 24, to the committee on Rules.

Walpole,—  
Norfolk  
County  
Agricultural  
High School.

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. 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 Municipalities and Regional Government. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Barrett of North Adams, a petition (subject to Joint Rule 12) of John Barrett, III for legislation to establish a sick leave bank for Richard Farnham, an employee of Berkshire County Jail and House of Correction.

Richard  
Farnham,—  
sick leave.

By Representative Donato of Medford and Senator Rausch, a joint petition (subject to Joint Rule 12) of Paul J. Donato, Rebecca L. Rausch and others for legislation to establish an immunization program within the Department of Public Health for certain child care centers, schools, camps and institutions of higher education.

Immunization  
program.

By Mr. Murphy of Weymouth, a petition (subject to Joint Rule 12) of James M. Murphy for legislation to establish a sick leave bank for Jacqueline Dayton, an employee of the Office of the Chief Medical Examiner.

Jacqueline  
Dayton,—  
sick leave.

By Messrs. Murray of Milford and Soter of Bellingham, a petition (subject to Joint Rule 12) of Brian W. Murray, Michael J. Soter and others for legislation to establish a medal of loyalty for the next of kin of certain service members who died in service while in the line of duty or who died as a result of wounds received in service while in the line of duty.

Medal  
of loyalty.

By Mrs. O'Connell of Taunton, a petition (subject to Joint Rule 12) of Shaunna L. O'Connell and others relative to prohibiting registered sex offenders from

Sex offenders,—  
name changes.

changing names.

By Mr. Whelan of Brewster, a petition (subject to Joint Rule 12) of Timothy R. Whelan and others relative to civil service appointments for children of certain deceased firefighters, police officers or correction officers.

Civil service appointments.

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

*Papers from the Senate.*

A Bill concerning health insurance benefits for surviving spouses of firefighters in the city of Boston (Senate, No. 1483) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 1E, to the committee on Health Care Financing.

Boston,—  
benefits.

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

Petition (accompanied by bill, Senate, No. 2347) of Diana DiZoglio for legislation relative to overtime pay for agricultural and farm work. To the committee on Labor and Workforce Development.

Agriculture and farms,—  
overtime.

Petition (accompanied by bill, Senate, No. 2346) of Diana DiZoglio for legislation relative to safe driving. To the committee on Public Safety and Homeland Security.

Driving,—  
safety.

Petition (accompanied by bill, Senate, No. 2345) of Don Privitera for legislation relative to senior citizen property tax credits. To the committee on Revenue.

Seniors,—  
property taxes.

*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:

Petition (accompanied by bill) of Paul McMurtry and others relative to motor vehicle owners' and independent repair facilities' access to vehicle on-board diagnostic systems. To the committee on Consumer Protection and Professional Licensure.

Motor vehicle diagnostic systems.

Petition (accompanied by bill) 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. To the committee on Education.

Schools,—  
hate crimes.

Petition (accompanied by bill) of Bob Costa relative to unemployment insurance and family medical leave benefits for certain visiting trainees. To the committee on Financial Services.

Trainees,—  
benefits.

Petition (accompanied by bill) of Daniel Cahill relative to energy efficiency and demand reduction resources for electric and natural gas resource needs. To the committee on Telecommunications, Utilities and Energy.

Energy efficiency.

Petition (accompanied by bill) of Lori A. Ehrlich and others relative to increasing operational safety for keyless ignition technology in motor vehicles. To the committee on Transportation.

Motor vehicles,—  
keyless ignitions.

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 Ms. Balsler of Newton, for the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3762) of Richard M. Haggerty and Peter Capano relative to the prescription monitoring program,— and recommending that the same be referred to the committee on Public Health. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Prescription monitoring.

By Mr. Mahoney of Worcester, for the committee on Public Health, on a petition, a Bill relative to diabetes prevention (House, No. 1852).

Diabetes prevention.

By the same member, for the same committee, on a petition, a Bill relative to postpartum depression screening (House, No. 1879).

Postpartum,— screenings.

By the same member, for the same committee, on a petition, a Bill to improve access to family physicians (House, No. 1914).

Family physicians.

By the same member, for the same committee, on a petition, a Bill relative to the restoration of MassHealth adult dental benefits (House, No. 1917).

MassHealth,— dental.

By the same member, for the same committee, on a petition, a Bill relative to the health care of minors (House, No. 1962).

Minors,— health care.

By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, a Bill relative to the training of higher education counselors in PTSD (House, No. 3897).

Higher education,— PTSD training.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 101 and 127, a Bill to protect persons with intellectual or developmental disability from abuse (House, No. 4074).

Disabilities,— abuse prevention.

By Mr. Roy of Franklin, for the committee on Higher Education, on Senate Nos. 761 and 2183 and House, Nos. 8, 1217 and on a part of 7, a Bill to support improved financial stability in higher education (House, No. 4075).

Higher education,— stability.

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill establishing the Representative Chris Walsh disaster and emergency aid fund for Massachusetts artists (printed as Senate, No. 2020).

Artists,— disaster fund.

By the same member, for the same committee, on a petition, a Bill to establish a Massachusetts public arts program (printed as Senate, No. 2022).

Public art.

By the same member, for the same committee, on a joint petition, a Bill establishing a liberty bell feasibility study (House, No. 1776).

Liberty bell.

By the same member, for the same committee, on a petition, a Bill to establish a Massachusetts public arts program (House, No. 2941).

Public art.

By the same member, for the same committee, on a petition, a Bill establishing the Representative Chris Walsh disaster and emergency aid fund for Massachusetts artists (House, No. 2942).

Artists,— disaster fund.

By the same member, for the same committee, on a petition, a Bill relative to the Plymouth 400<sup>th</sup> (House, No. 2949).

Plymouth,— anniversary.

By the same member, for the same committee, on a petition, a Bill relative to the Millicent Library in the town of Fairhaven (House, No. 2950).

Fairhaven,— library.

By Mrs. Campbell of Methuen, for the committee on Veterans and Federal Affairs, on a petition, a Bill increasing the annuity for gold star families (House, No. 3199).

Gold star families,— annuities.

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

By Mr. Mahoney of Worcester, for the committee on Public Health, on a petition, a Bill relative to further regulating the Commission on Falls Prevention (House, No. 1893).

Falls prevention,—  
commission.

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill to protect Native American heritage (House, No. 2948).

Native American,—  
objects.

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 Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at four minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

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

The engrossed Bill relative to collective bargaining dues (see House, No. 3854, amended), which had been returned to the House by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4031), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Brodeur of Melrose.

Collective bargaining dues.

After remarks on the question on passing the said bill, notwithstanding the said objections of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 156 members voted in the affirmative and 1 in the negative.

Bill passed over veto,—  
yea and nay  
No. 91.

**[See Yea and Nay No. 91 in Supplement.]**

Therefore the bill was passed, notwithstanding the objections of His Excellency the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to hospital access to discounted prescription drug prices (see House, No. 4017), being a printed copy of Section 47 contained in the engrossed Bill making appropriations for the fiscal year 2020 (see House, No. 4000), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 4014), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Hospitals,—  
prescription drug prices.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

In section 1, in line 6 (as published), by striking out the figures: “270” and inserting in place thereof the figures: “180”; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill establishing certain reporting requirements for the board of the Commonwealth Health Insurance Connector (see House, No. 4018), being a printed copy of Section 59 contained in

Health Insurance Connector,—  
reporting.

the engrossed Bill making appropriations for the fiscal year 2020 (see House, No. 4000), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment D of House, No. 4014), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

In section 1, in line 5 (as published), by striking out the figures: “60” and inserting in place thereof the figures: “30”; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Mr. Speliotis of Danvers moved that the engrossed Bill relative to the environmental health of the Blue Hills Reservation (see House, No. 4021), being a printed copy of Section 97 contained in the engrossed Bill making appropriations for the fiscal year 2020 (see House, No. 4000), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment G of House, No. 4014), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Blue Hills  
Reservation,—  
environmental  
health.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the following form:

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

“SECTION 1. The University of Massachusetts shall select an independent scientific organization to conduct a study and survey of the environmental health of the Blue Hills Reservation, which shall include: (i) the forest, including plant, animal and insect life, and any contributing factors responsible for any decline in forest health; (ii) the effect of ecological and climate change; (iii) the effectiveness of controlled public hunting in culling the deer population; (iv) the effectiveness of the Blue Hills Reservation deer management program in culling the deer population since 2015; and (v) recommendations to ensure improvements in the environmental health of the reservation. The study shall include the physical tagging of deer for purposes of population surveying; provided, however, that methods may include but shall not be limited to (i) fixed-wing aircraft or unmanned aerial vehicles using aerial photography and downward-looking thermal imaging; and (ii) distance sampling using driving transects and spotlights.

The University of Massachusetts shall select an organization to conduct the study and survey within 6 months after the effective date of this act, and the independent scientific organization shall report its findings and data in the form of a report and survey, which shall include proposed recommendations and the costs associated with those recommendations, to the department of conservation and recreation and the department of fisheries and wildlife within 4 years following the start of the study.

SECTION 2. This act shall take effect as of July 1, 2019.”; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Prior to the noon recess,— The Senate amendment of the House Bill establishing a sick leave bank for Ryane Linehan, an employee of the Department of

Ryane  
Linehan,—

Revenue (House, No. 4056), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Hill of Ipswich; and it was adopted, in concurrence.

sick leave.

The Senate Bill amending the home rule charter of the city of Easthampton (Senate, No. 2331), 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 forthwith, under suspension of Rule 47, on motion of Mr. Carey of Easthampton; and it was passed to be engrossed, in concurrence.

Easthampton,—  
charter.

### *Reports of Committees.*

Mr. Michlewitz of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4014), returning with his disapproval of parts of certain items contained in the engrossed Bill making appropriations for the fiscal year 2020 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4000), reported, in part, that parts of certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General  
Appropriation  
Bill.

Mr. Petrolati of Ludlow, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Michlewitz of Boston, the reports were considered forthwith.

Item 1595-6368 (contained in section 2E) (Massachusetts Transportation Trust Fund), which had been disapproved by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 125 members voted in the affirmative and 31 in the negative.

Massachusetts  
Transportation  
Trust Fund  
item 1595-6368  
stands,—  
yea and nay  
No. 92.

#### **[See Yea and Nay No. 92 in Supplement.]**

Therefore item 1595-6368 (contained in section 2E) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2810-0100 (contained in section 2) (state parks and recreation), which had been disapproved by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 130 members voted in the affirmative and 26 in the negative.

State parks  
and recreation  
administration  
item 2810-0100  
stands,—  
yea and nay  
No. 93.

#### **[See Yea and Nay No. 93 in Supplement.]**

Therefore item 2810-0100 (contained in section 2) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8900-0001 (contained in section 2) (Department of Correction facility operations), which had been disapproved by the Governor, then was considered.



The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 125 members voted in the affirmative and 31 in the negative.

**[See Yea and Nay No. 94 in Supplement.]**

Therefore item 8900-0001 (contained in section 2) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Prior to the noon recess,— By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill relative to the creation of a women's rights history trail (House, No. 2940, changed), ought to pass with an amendment substituting therefor a Bill establishing a women's rights history trail (House, No. 4076). 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.

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. Speliotis of Danvers, 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. McMurtry of Dedham; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 95 in Supplement.]**

Therefore the bill 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 authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the town of Needham now under the care and control of the Department of Conservation and Recreation (House, No. 3690), ought to pass with an amendment substituting therefor a 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 (House, No. 4077). 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.

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. Speliotis of Danvers, 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.

Department  
of Correction  
facility  
operations  
item 8900-0001  
stands,—  
yea and nay  
No. 94.

Women's  
rights history  
trail.

Bill passed to  
be engrossed,—  
yea 95.

Needham,—  
land.

*Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Ryane Linehan, an employee of the Department of Revenue (see House, No. 4056, 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.

Ryane  
Linehan,—  
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 15 to 0. 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 eleven o'clock A.M.

Next  
sitting.

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Representative Tyler of Boston then moved that when the House adjourns today, it do so in respect to the memory of Michael E. Haynes, a member of the House from Boston from 1965 to 1969, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at fourteen minutes after three o'clock P.M., on motion of Mr. Hill of Ipswich (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.