

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, NOVEMBER 1, 2017.

[116]*

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Wednesday, November 1, 2017.

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 Center of Boston, Chaplain of the House, as follows:

God, we ask Your blessing upon the many employees of our state government, especially upon the men and women elected to serve the people of their home districts.

Prayer.

God of Beauty, we thank You for Your spirit of creativity as it flows from so many native sons and daughters of our small state.

This week, we remember Francis Davis Millet, who was born on November 3, 1848 in Mattapoisett. Millet was a painter, a sculptor, a journalist and a novelist. He was friends with many of the leading artists and writers of his day; Mark Twain was the best man at his wedding. After vacationing in France with his Washington D.C. house mate Archibald Butt, Millet died while returning to America on board the Titanic. His body was recovered and he was buried in East Bridgewater.

We pray for Representative William Straus of the 10th Bristol District who serves Millet's birthplace town of Mattapoisett.

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.

At the request of Representatives Barrows of Mansfield and Howitt of Seekonk, the members, guests and employees stood in a moment of silent tribute to the memory of Clarence P. "Butch" Rich, Jr., a life-long resident of the town of Norton.

Clarence P.
"Butch"
Rich, Jr.

Mr. Rich was a retired veteran of the U.S. Army Reserves Corps of Engineers, having attained the rank of Sgt. First Class. He also served on the Norton Fire Department for many years, attaining the rank of captain. Butch served on and chaired numerous boards and commissions in the town of Norton, including the Board of Selectmen, Planning Board, cable access commission, cemetery commission, historic district commission, historical commission, the building committee and many other committees.

Butch was a member of the Norton Grange, the American Legion, and the Knights of Columbus. He was a life member of the Norton Land Preservation Society, the Norton Historical Society and was involved with the Boy Scouts.

He is survived by his sister Janet O'Reilly and her husband Ronald, and his brother-in-law Vincent Brown. He was the devoted uncle of Jonathan O'Reilly and his wife Pia of Norton and James Brown of Norton. He was the adoring great-uncle of Stephanie Brown, Timothy Brown and Patrick O'Reilly. He is also survived by

his loving cousins and many, many close and special friends.

Appointment to a Special Commission.

The Speaker announced that (under Section 42 of Chapter 19A of the General Laws, established by Chapter 325 of the Acts of 2016) he had appointed Representative Danielle W. Gregoire to the special commission on malnutrition prevention among older adults.

Elders,—
malnutrition
commission.

Statement of Representative Atkins of Concord.

A statement of Ms. Atkins of Concord 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 I was unable to be present in the House Chamber for the sitting of Wednesday, October 25, 2017. If I could have been present that day, I would have voted in the affirmative, in each instance, on roll call number 271, on passing to be enacted the engrossed Bill authorizing the town of Plymouth to exchange a parcel of land held for conservation purposes for a parcel of land in the town of Plymouth (see Senate, No. 2085, amended); on roll call number 272, on passing to be engrossed, in concurrence, the Senate Bill relative to handicapped parking (Senate, No. 2178, amended); on roll call number 273, on passing to be engrossed, in concurrence, the Senate Bill relative to standards of employee safety (printed as House, No. 3952, amended); and on roll call number 274, on passing to be engrossed the House Bill establishing regional commissions on the status of women (House, No. 1110, amended).

Statement of
Ms. Atkins
of Concord.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, students from the Weymouth High School active citizenship class, accompanied by their teacher Rob Meader. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Murphy of Weymouth and Senator O'Connor.

Weymouth High
School active
citizenship class.

Monthly Report.

A report of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for September, 2017, was placed on file.

Unemployment
insurance
trust.

Petition.

Mr. Dooley of Norfolk presented a petition (subject to Joint Rule 12) of Shawn Dooley relative to call and volunteer firefighters and emergency medical technicians; and the same was referred, under Rule 24, to the committee on Rules.

Firefighters
and EMTs.

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Paper from the Senate.

A Bill relative to criminal justice reform (Senate, No. 2200) (on Senate bill No. 2185), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Criminal justice,— reforms.

Report of a Committee.

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 Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Rosibel Umanzor, an employee of the Department of Public Health. Under suspension of the rules, on motion of Mr. Murphy of Weymouth, 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.

Rosibel Umanzor,— sick leave.

Engrossed Bill.

The engrossed Bill authorizing the town of Southborough to enter into a land exchange agreement with St. Mark's School of Southborough, Inc. (see House, No. 3809, amended) (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.

Recess.

At five 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 eight minutes before two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Quorum.

Mr. Jones of North Reading 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 149 members were recorded as being in attendance.

Quorum,— yea and nay No. 275.

[See Yea and Nay No. 275 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Cronin of Easton 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 on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of Ms. Cronin of Easton.

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 on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of
Mr. Murray
of Milford.

Subsequently a statement of Mr. Stanley of Waltham 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 on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of
Mr. Stanley of
Waltham.

Reports of Committees.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 3971, a Bill relative to the Centerville-Osterville Marstons Mills Fire District (House, No. 3997) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Centerville-
Osterville
Marstons Mills
Fire District.

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

Under suspension of the rules, on motion of Ms. Decker of Cambridge, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill relative to Massachusetts participation in the Paris Climate Agreement's Green House Gas Emission Standards (House, No. 3564), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3994). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Paris
Climate
Agreement.

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

Under suspension of Rule 7A, on motion of Mr. Mariano of Quincy, 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 under suspension of the rules, on motion of Mr. Sánchez 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.

Pending the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it by striking out section 3 and inserting in place thereof the following section:

“SECTION 3. Section 2 of said chapter 21N of the General Laws, as so appearing in the 2016 Official Edition, is hereby amended by adding the following subsection:—

(d) The department may, as appropriate: (i) adopt rules and regulations that support efforts and actions to decrease vulnerability to the adverse effects of climate change, (ii) ensure that such actions and efforts support the Commonwealth's contribution to the United States intended nationally determined contribution, as of March 31, 2015, pursuant to the Paris Agreement, and (iii) document the Commonwealth's efforts at reducing carbon emissions as a non-party stakeholder through the NAZCA platform.”.

The amendment was adopted.

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The same members then moved to amend the bill by striking out section 5 and inserting in place thereof the following section:

“SECTION 5. Chapter 21N of the General Laws, as so appearing in the 2016 Official Edition, is hereby amended by inserting the following new section:-

Section 10. The executive office and the department shall ensure that the rules, regulations and policies adopted pursuant to this chapter shall, where appropriate, support the Commonwealth’s contribution to the United States intended nationally determined contribution, as of March 31, 2015, pursuant to the Paris Agreement.”.

The amendment was adopted.

Mr. Speliotis of Danvers then moved to amend the bill in section 1, in line 1, by striking out the word “The” and inserting in place thereof the words “Pursuant to the power of the general court to enact legislation necessary or expedient to protect the right of the people to clean air and water, the”; in section 2, in line 8, by inserting after the word “society” the word “organizations”, in line 12 by inserting after the word “Paris” the word “, France”; and in line 13 by inserting after the year “2015” the words “agreement of the parties to the”.

The amendments were adopted.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Fernandes of Falmouth; and on the roll call 146 members voted in the affirmative and 10 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 276.

[See Yea and Nay No. 276 in Supplement.]

Therefore the bill (House, No. 3994, amended) was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Ways and Means, that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in the city of Revere (House, No. 3811), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3995). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Revere,—
land.

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

Under suspension of Rule 7A, on motion of Ms. Vincent of Revere, 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. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Maria Jette, an employee of the Department of Mental Health (House, No. 3966), be scheduled for consideration by the House.

Maria
Jette,—
sick leave.

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

Orders of the Day.

The Senate Bill exempting the position of police captain in the town of Hull from the civil service law (Senate, No. 2086), reported by the committee on Bills in the Third Reading to be correctly drawn was read a time; and it was passed to be engrossed, in concurrence.

Hull,—
civil
service.

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House Bills

Relative to the sale of alcohol on Sundays (House, No. 209);

Establishing a sick leave bank for Ann Marie Campos, an employee of the Trial Court (House, No. 3965); and

Authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Waltham (House, No. 3975);

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. Severally sent to the Senate for concurrence.

Third
reading
bills.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Representative Zlotnik of Gardner then moved that when the House adjourns today, it do so in respect to the memory of Raymond M. LaFontaine, a member of the House from Gardner from 1966 to 1982, inclusive; and the motion prevailed.

Accordingly, at two minutes after four o'clock P.M., on motion of Mr. Barrows of Mansfield (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.