

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 21, 2018.

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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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, we ask Your blessing upon the women and men who work in this legislative branch of government. We pray that the many support staff who work throughout this State House also enjoy Your favor.

Prayer.

Today we pray for the small Berkshire County town of Sandisfield. With the Buck and Clam rivers providing power, Sandisfield has long had a logging industry and is home to an abundance of wildlife. The Sandisfield and Otis state forests make up parts of this peaceful town. Perhaps we can say that not much has ever happened in Sandisfield, and perhaps that's just fine with this quiet town's 900 residents.

May God continue to bless our Commonwealth.

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.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4520), was filed in the office of the Clerk on Friday, May 18.

Supplemental appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

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 Gallery, the fourth grade students and chaperones from the Bailey School in Lowell, including the wife and daughter of Representative Mom of Lowell. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Mom.

Lowell,—
Bailey
School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the fourth grade students from the British International School of Boston and their teachers Mr. MacDonald and Miss Yeardeley. They were the guests of Representative Khan of Newton.

British
International
School of
Boston.

Resolutions.

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

Resolutions (filed by Messrs. Jones of North Reading and Dwyer of Woburn) congratulating Father Edward T. Malone on his retirement;

Edward
Malone.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Samuel Weston Evans on receiving the Eagle Award from the Boy Scouts of America;

Samuel
Evans.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Saatvik Garhwal on receiving the Eagle Award from the Boy Scouts of America;

Saatvik
Garhwal.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating John Philip Norgren on receiving the Eagle Award from the Boy Scouts of America;

John
Norgren.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Brooks Robert O'Neil on receiving the Eagle Award from the Boy Scouts of America;

Brooks
O'Neil.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Nicholas F. Simmons on receiving the Eagle Award from the Boy Scouts of America; and

Nicholas
Simmons.

Resolutions (filed by Mr. Vega of Holyoke and other members of the House) recognizing June 2, 2018 as National Gun Violence Awareness Day;

Gun Violence
Awareness.

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

Order.

The following order (filed by Mr. Roy of Franklin) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, June 13, 2018 within which time to make its final report on current Senate documents numbered 631 and 2112, and House documents numbered 591, 596, 597, 601, 608, 610, 615, 617, 619, 620, 1218, 2074, 2215, 2217, 2219, 2434, 2459, 2470, 2567, 2983, 2985, 2986, 2987, 2988, 2990, 3223, 3248, 3582, 3704, 3829, 4127, 4259, 4332, 4333, 4355 and 4362.

Health Care
Financing
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4515), ought to be adopted. Under suspension of the rules, on motion of Mr. Roy of Franklin, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. Gentile of Sudbury presented a petition (accompanied by bill, House, No. 4522) of Carmine L. Gentile, Alice Hanlon Peisch and Richard J. Ross (by vote of the town) relative to prevailing wages for certain affordable housing projects in the town of Wayland; and the same was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Wayland,—
prevailing
wage.

Mr. Cusack of Braintree presented a petition (subject to Joint Rule 12) of Mark

Evidence
rooms.

J. Cusack relative to the examination of evidence rooms and evidentiary procedures; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill permitting certain exempted persons to occupy a trailer or semi-trailer that is being towed, pushed, drawn or is otherwise in motion upon any way (House, No. 4105) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting before the enacting clause the following emergency preamble:

“Whereas, the deferred operation of this act would tend to defeat its purpose, which is to permit certain exempted persons to occupy a trailer or semi-trailer in motion upon any way, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

The Senate Resolve providing for the establishment of a special legislative commission on young professionals (Senate, No. 208) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills
Relative to protecting biometric information under the security breach law (Senate, No. 95) (on a petition);
Relative to the powers and duties of a regional school district (Senate, No. 264) (on a petition);
Relative to the solar drying of laundry (Senate, No. 1117) (on a petition);
Establishing the East Bridgewater town center sewer district in the town of East Bridgewater (Senate, No. 2423) (on a petition) [Local Approval Received]; and

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reporting (under the provisions of House Rules 7B and 7C) that the following orders ought to be adopted:

Relative to special procedures for consideration of the House Bill relative to firearms (House, No. 4517) [for order see House, No. 4518]; and

Relative to special procedures for consideration of the Senate Bill relative to veteran’s benefits, rights, appreciation, validation and enforcement (Senate, No. 2509) [for order see House, No. 4519];

The orders severally were considered forthwith; and they were adopted.

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:

Hayrides.

Young professionals.

Biometric information.

Regional schools.

Laundry.

East Bridgewater.

Firearms.

Veterans,— benefits.

UNCORRECTED PROOF.

Petition (accompanied by bill) of Brian M. Ashe and others that the Department of Developmental Services be authorized to incorporate an employment program within the Community Based Day Support Services programs. To the committee on Children, Families and Persons with Disabilities.

Developmental services,—
employment program.

Petition (accompanied by bill) of James J. Dwyer relative to the use of community preservation funding by local public housing authorities. To the committee on Housing.

Housing authorities.

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

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill to prevent concussion and head injury (House, No. 220), be scheduled for consideration by the House.

Head injuries.

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. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 2109, 2123 and 2927, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents relative to fisheries (House, No. 4513).

Environment,
Natural Resources
and Agriculture,—
study.

By Mr. Scibak of South Hadley, for the committee on Higher Education, on House, Nos. 633, 3000 and 3004, an Order relative to authorizing the committee on Higher Education to make an investigation and study of certain House documents relative to increasing access to and completion of public higher education in the state (House, No. 4512).

Higher Education,—
study.

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Resolve providing for an investigation and study by a special commission relative to robotic surgery in the Commonwealth (House, No. 1182), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches; acting concurrently.

Robotic surgery.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the following House bills ought to pass:

Relative to individuals with intellectual or developmental disabilities (House, No. 98) [Cost: Greater than \$100,000.00];

Individuals with disabilities.

Providing for certain health insurance coverage (House, No. 526) [Cost: Greater than \$100,000.00];

Health insurance.

Relative to concussion prevention (House, No. 1124) [Cost: Greater than \$100,000.00];

Concussion prevention.

Relative to Diabetes prevention (House, No. 1128) [Cost: Greater than \$100,000.00];

Diabetes prevention.

UNCORRECTED PROOF.

Relative to postpartum depression screening (House, No. 1156) [Cost: Greater than \$100,000.00];
Relative to death certificates (House, No. 1173) [Cost: Greater than \$100,000.00];
Relative to the availability of prescription medication during an emergency (House, No. 1178) [Cost: Greater than \$100,000.00]; and
Promoting radon testing (House, No. 1215) [Cost: Greater than \$100,000.00].
Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Postpartum depression.
Death certificates.
Emergency medication.
Radon testing.

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the House Bill making corrective amendments to Chapter 234 of the Acts of 2012 47CC (House, No. 576), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Craniofacial coverage.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 239 and House, Nos. 221, 284, 2056, 3479 and 3555, a Bill relative to dropout prevention and recovery (House, No. 2056). Read; and referred, under Rule 33, to the committee on Ways and Means.

Dropout prevention.

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

Regulating the use of credit reports by employers (House, No. 3153); and
To clarify the tips law (House, No. 3156);
Severally placed in the Orders of the Day for the next sitting for a second reading.

Credit reports.
Tips.

Reports of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the following House bills be scheduled for consideration by the House:

Relative to certain county elections for certain vacancies (House, No. 390); and
Relative to the judicial enforcement of noncompetition agreements (House, No. 4419);
Severally placed in the Orders of the Day for the next sitting for a second reading.

County elections.
Noncompetition agreements.

Engrossed Bills.

Engrossed bills
Protecting the rights of custodial and other non-teaching employees of school districts (see House, No. 1390);
Increasing the maximum age to be eligible for appointment as a special police officer in the city of Somerville (see House, No. 4085);
Authorizing the appointment of retired police officers as special police officers for paid detail assignments in the city of Cambridge (see House, No. 4143, amended); and
Authorizing the town of Lynnfield to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4370);
(Which severally originated in the House);

Bills enacted.

UNCORRECTED PROOF.

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.

House bills

Authorizing the treasurer of the Mohawk Trail Regional School District to invest the Carl H. Nilman Scholarship Trust Fund (House, No. 4094);

Third reading bills.

Authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of Clause forty-first C½ of Section 5 of Chapter 59 of the General Laws (House, No. 4249) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Maria Benitez, an employee of the Department of Children and Families (House, No. 4474); and

Establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (House, No. 4484);

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.

House bills

Providing for continuing education credits flexibility (House, No. 19);

To establish the uniform enforcement of foreign judgments (House, No. 718):

To add a compulsory death benefit to automobile liability insurance (House, No. 2195);

Restoring accountability in claims against certain non-governmental actions for damage caused by public way defects (House, No. 2724);

Regarding right of way violations (House, No. 2752); and

Relative to interstate branching of a credit union and the Massachusetts Credit Union Share Insurance Corporation (House, No. 3690);

Severally were read a second time; and they were ordered to a third reading.

Second reading bills.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-seven minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Mr. Sánchez of Boston, for 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 2493) of the House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4382), reported, in part, a bill with the same title (House, No. 4514) [Total Appropriation: \$147,711,848.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

UNCORRECTED PROOF.

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. Sánchez of Boston, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Mr. Sánchez of Boston, for the committee on Ways and Means, on House, No. 4231, reported, in part, a Bill relative to the municipal police training fund (House, No. 4516) [Mr. Boldyga of Southwick dissenting]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal police training fund.

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 Mr. Sánchez of Boston, 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 temporarily preventing firearm access for extremely dangerous or suicidal individuals (House, No. 3610, changed), ought to pass with an amendment substituting therefor a Bill relative to firearms (House, No. 4517) [Representatives Boldyga of Southwick and Campanale of Leicester dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Firearms.

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. Mom of Lowell, 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.

Recess.

At two minutes after one o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at thirteen minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4514), 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.

Supplemental appropriations.

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 4 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.

Order.

UNCORRECTED PROOF.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At thirteen minutes after three o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.