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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, JUNE 21, 2017.**

[62]

# JOURNAL OF THE HOUSE.

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Wednesday, June 21, 2017.

Met at according to adjournment at a quarter before twelve o'clock noon, 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.

*Official Memorial Remembrance Ceremony in Respect to the Memory of  
Representative Gailanne M. Cariddi.*

The Speaker being in the Chair, a memorial remembrance ceremony in respect to the memory of the late Gailanne M. Cariddi, a member of the House of Representatives from North Adams from 2010 to 2017, inclusive, commenced in the House Chamber at ten minutes after twelve o'clock noon.

Representative  
Gailanne M.  
Cariddi of North  
Adams,— memorial  
ceremony.

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

God of the Humble, God of the Dedicated, we make our prayer today on behalf of one of our elected members who will be missed by her colleagues here in our House Chamber. We give thanks for the tireless efforts of Representative Gailanne Cariddi who served the people of First Berkshire District and her many friends in her hometown of North Adams.

Prayer.

We have been hearing lovely tributes of Ms. Cariddi since her sudden passing last weekend. We know she preferred to work without fanfare and to quietly look after the needs of her neighbors back home, and for this we are grateful. She has left us all an example of humility and goodness. She loved Your creation God and she did her best to help maintain the natural beauty of the Berkshires, helping to craft legislation that would promote the protection of Your creation throughout her district.

In preparing my prayer for Monday, I came upon a short poem from Robert Frost that seemed to capture the shining spirit of our dedicated lawmaker. I would like to repeat it here. The poem is entitled, "Nothing Gold Can Stay."

Nature's first green is gold,  
Her hardest hue to hold.  
Her early leaf's a flower;  
But only so an hour.  
Then leaf subsides to leaf.  
So Eden sank to grief,  
So dawn goes down today.  
Nothing gold can stay.

Her neighboring Representative Tricia Farley-Bouvier noted that on the wall of

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her office Gailanne had a collage of signs from the towns she represented and served so well, signs that read: Welcome to Hancock, Williamstown Welcomes You, Welcome to New Ashford, and so on. Always mindful from whence she came, we pray today loving God that she is coming upon a sign from You Yourself that reads “Welcome Home Gailanne.” The Commonwealth of Massachusetts was blessed to have such a good soul serving its people.

May God continue to bless our Commonwealth.

Speaker DeLeo then offered the condolences of the House; and reflected on several personal and professional moments that they had shared.

Remarks of  
Speaker DeLeo.

The Speaker then recognized Representatives Haddad of Somerset, who offered remarks on their friendship, Pignatelli of Lenox who shared his memories of Gailanne over the past thirty-five years, and Farley-Bouvier of Pittsfield, Peake of Provincetown and Mark of Peru, each of whom offered remarks on the personal and professional relationships that they had with her.

Remarks.

The Speaker then recognized Auditor Suzanne Bump and Senators Brownsberger, Eldridge, Forry, Gobi, Hinds, L’Italien, McGee, Timilty and Welch who were present in the chamber; and thanked them for attending.

Auditor and  
Senate.

*Statement Concerning Representative Arciero of Westford.*

A statement of Mr. Arciero of Westford 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 today’s sitting due to the serious illness of my mother. My missing of any roll calls today was due entirely to the reason stated.

Statement  
concerning  
Mr. Arciero  
of Westford.

*Message from the Governor.*

Mr. Donato of Medford being in the Chair,—

A message from His Excellency the Governor submitting recommendations for making certain appropriations for fiscal year 2018 before final action on the General Appropriation Bill (House, No. 3775), was filed in the office of the Clerk on Monday, June 19.

State funds,—  
emergency  
expenditure.

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.*

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Sam Pastor, an intern in the office of Representative Cullinane. Sam is a student at the Cotting School, and the first student from the school to intern at the State House. He was accompanied by his parents, Glenn and Hillary, and President Dave Manzo, Mike Teuber and Molly Marshall, all of the Cotting School. They were the guests of Representatives Cullinane of Boston and Ehrlich of Marblehead.

Sam Pastor,—  
Cotting  
School.

*Resolutions.*

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

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Joseph Robert Cavanaugh on receiving the Eagle Scout Award of the Boy Scouts of America;

Joseph  
Cavanaugh.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Kenneth Frederic Lincoln on his ninetieth birthday;

Kenneth  
Lincoln.

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Kyle David Svenson on receiving the Eagle Scout Award of the Boy Scouts of America;

Kyle  
Svenson.

Resolutions (filed by Mr. Calter of Kingston) congratulating Peter Dean Morgan on receiving the Eagle Award of the Boy Scouts of America;

Peter  
Morgan.

Resolutions (filed by Miss Campanale of Leicester) congratulating Judith W. Playe on the occasion of her retirement;

Judith  
Playe.

Resolutions (filed by Miss Campanale of Leicester) congratulating Susan A. Soden on the occasion of her retirement;

Susan  
Soden.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Alec B. O'Rourke on receiving the Eagle Award from the Boy Scouts of America; and

Alec  
O'Rourke.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Connor F. O'Rourke on receiving the Eagle Award from the Boy Scouts of America;

Connor  
O'Rourke.

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.

*Petitions.*

Petitions severally were presented and referred as follows:

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 3771) of Jennifer E. Benson (by vote of the town) that the town of Harvard be exempt from certain labor law requirements. To the committee on Labor and Workforce Development.

Harvard,—  
labor law.

By the same member, a petition (accompanied by bill, House, No. 3772) of Jennifer E. Benson (by vote of the town) relative to the authority of the town administrator in the town of Harvard;

Harvard,—  
town  
administrator.

By the same member, a petition (accompanied by bill, House, No. 3773) of Jennifer E. Benson (by vote of the town) that the town of Harvard be authorized to pay certain bills from prior fiscal years; and

Harvard,—  
unpaid bills.

By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 3774) of Paul W. Mark and Adam G. Hinds (by vote of the town) that the town manager of the town of Dalton be authorized to appoint and remove members of the Dalton Redevelopment Authority;

Dalton  
Redevelopment  
Authority.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

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By Mr. Driscoll of Milton, a petition (subject to Joint Rule 12) of William Driscoll for legislation to establish a sick leave bank for David Banks, an employee of the Trial Court.

David Banks,—  
sick leave.

By Mr. Lawn of Watertown, a petition (subject to Joint Rule 12) of John J. Lawn, Jr., for legislation to establish direct retail alcohol shipper licenses for the sale and shipment of alcohol directly to certain residents.

Alcohol,—  
direct retail.

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

*Papers from the Senate.*

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

Petition (accompanied by bill, Senate, No. 2095) of Jennifer L. Flanagan for legislation relative to donations for municipal events. To the committee on Consumer Protection and Professional Licensure.

Municipal events,—  
donations.

Petition (accompanied by bill, Senate, No. 2094) of Jennifer L. Flanagan for legislation relative to Chapter 30B procurement; and

Procurement.

Petition (accompanied by bill, Senate, No. 2089) of Jennifer L. Flanagan and Stephan Hay for legislation to designate the Spring Peeper as the official amphibian of the Commonwealth;

Spring Peeper,—  
official amphibian.

Severally 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:

Petition (accompanied by bill) of Frank A. Moran relative to the transfer of college credits by certain military personnel and veterans to certain institutions of higher education. To the committee on Higher Education.

Military,—  
college credits.

Petition (accompanied by bill) of Natalie Higgins and Jennifer L. Flanagan relative to requiring the commissioner of Revenue to provide written notice to certain establishments offering rooms and lodging within a municipality when said municipality has accepted the local room occupancy excise tax; and

Room occupancy tax,—  
notifications.

Petition (accompanied by bill) of Joseph D. McKenna relative to the establishment of tax credits for the installation of home water filtration systems for certain homeowners;

Water filtration,—  
credits.

Severally to the committee on Revenue.

Joint petition (accompanied by bill) of Joseph D. McKenna and Ryan C. Fattman (by vote of the town) that the commissioner of the Division of Capital Asset Management and Maintenance be authorized to release a restriction on a certain property in the town of Webster. To the committee on State Administration and Regulatory Oversight.

Webster,—  
land.

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

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 Anne Furtado relative to the calculation of alimony. Under

Alimony,—  
calculation.

suspension of the rules, on motion of Mr. Mariano of Quincy, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

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:

Authorizing the town of Burlington to grant additional alcoholic beverages licenses (House, No. 3756) [Local Approval Received]; and

Burlington,—  
liquor licenses.

Authorizing the city of Boston to grant 15 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3757) [Local Approval Received];

Boston,—  
liquor  
licenses.

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

*Orders of the Day.*

House bills

Allowing businesses to sign up for the “Do Not Call” list (House, No. 137);

Establishing a sick leave bank for David Senatillaka, an employee of the Department of Correction (House, No. 3734); and

Second  
reading  
bills.

Authorizing the city of Salem to grant 1 additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 3753);

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

*Reports of Committees.*

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to ensure the public health and safety of patient and consumer access to medical and adult use of marijuana in the Commonwealth (House, No. 3768) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Marijuana  
access.

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. Cusack of Braintree, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules (Mr. Petrolati of Ludlow being in the Chair), on motion of Mr. Cusack of Braintree, 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, Mr. Chan of Quincy moved to amend it in section 26, in line 1742, by inserting after the word “benefits,” the words “and without change in union representation or certified collective bargaining unit as certified by the state labor relations commission or in local union representation or affiliation.”.

The amendment was adopted.

Messrs. Golden of Lowell and Jones of North Reading then moved to amend the bill in section 2, in line 664, by striking out the word “and”; and by inserting after line 666 the following paragraph:

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“(34) establish energy and environmental standards; provided, that such standards shall be promulgated in consultation with the department of energy resources, the department of environmental protection and the department of agricultural resources; and provided further, that such standards shall require, at a minimum, that any cannabis establishment licensed as a marijuana cultivator or marijuana product manufacturer demonstrate, as a condition of licensure, compliance with such energy and environmental standards.”.

The amendments were adopted.

Ms. DiZoglio of Methuen then moved to amend the bill in section 41, in line 1448, by inserting after the word “revenue” the words “, the joint committee on mental health, substance use and recovery”.

The amendment was adopted.

Mr. Cantwell of Marshfield then moved to amend the bill in section 2, in lines 1461 and 1436, by striking out the following: “1 expert in the prevention and treatment of substance use disorders” and inserting in place thereof the following: “1 expert in the prevention of substance use disorders, 1 expert in the treatment of substance use disorders”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 2, in lines 622 and 623, by striking out the words “and reasonable limitations on the use of organic and non-organic pesticides”, and inserting in place thereof the word “provided however, that the authority to promulgate regulations pertaining to the use of pesticides shall remain with the department of agricultural resources”.

The amendment was adopted.

Mr. Wagner of Chicopee being in the Chair,—

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2, in line 671, by inserting after clause (34) (inserted by amendment) the following:

“(35) administer a craft marijuana cultivator marijuana cooperative program in order to promote and encourage full participation in the regulated marijuana industry by farmers and small businesses; including but not limited to, the following criteria: (i) ownership interests in a marijuana cultivator cooperative is limited to not more than 40 per cent by any single individual or entity; (ii) a marijuana cultivator cooperative be limited to not more than 15,000 square feet of growing space cultivation capacity; and (iii) a reasonable fee for licensure as a marijuana cultivate marijuana cooperative program. For the purposes of this clause, the term ‘Craft Cultivator Marijuana Cooperative’, shall mean a type of marijuana cultivator that is a cooperative comprised of residents of the commonwealth.

(36) develop recommendations, in consultation with the department of agricultural resources, to ensure farmers’ access to cannabis licenses and to allow for the growth, cultivation, production and harvest of marijuana on farm or agricultural lands. The recommendations shall include but not be limited to; (i) lands protected under an agricultural preservation restriction, to the extent permitted by state and federal law; and (ii) the inclusion of cannabis and industrial hemp as land in horticultural use for the purposes of assessment and taxation pursuant to the provisions of chapter 61A.

The commission shall report to the general court its recommendations and any drafts of legislation necessary to carry its recommendations into effect, by filing the report with the clerk of the house of representatives and clerk of the senate within six months of the effective date of this act.”;



In line 1458 by striking out the figures: “12” and inserting in place thereof the figures: “13”;

In line 1463 by inserting after the word “owners”, the following: “, 1 individual representing the interests of farmers in the commonwealth”;

In section 19 in line 1563, by striking out the figure: “7” and inserting in place thereof the figure: “9”;

In line 1611 by striking out the following: “records related to sections 116 to 121, inclusive,” and inserting in place thereof the following: “documents included in an application for licensure submitted under subsection (e) of section 118”; and

By adding the following two sections:

“Section 122. The department shall have the authority to inspect and have access to all equipment, supplies, records, real property, and any other information deemed necessary, from any person participating in the planting, growing, harvesting, possessing, processing, purchasing, selling, or researching of hemp, industrial hemp, or hemp products. The department may establish an inspection and testing program to determine delta-9 tetrahydrocannabinol levels and ensure compliance with the limits on delta-9 tetrahydrocannabinol concentration.

Section 123. The department may establish civil administrative fines for violations of sections 116 through 121, inclusive, or regulations promulgated thereunder. A person aggrieved by the assessment of a fine under this section or a licensure action under section 120 may appeal by filing a notice of appeal with the department within 21 days of the receipt of the notice of the fine or licensure action. The adjudicatory hearing shall be conducted in accordance with chapter 30A.”

On the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 144 members voted in the affirmative and 11 in the negative.

Consolidated amendments adopted,—yea and nay No. 68.

**[See Yea and Nay No. 68 in Supplement.]**

Therefore the consolidated amendments (agriculture) were adopted.

Mr. Petrolati of Ludlow being in the Chair,—

Mr. Rogers of Cambridge and other members of the House then moved to amend the bill in section 2, in line 1066, by striking out the words “warrantless searches” and inserting in place thereof the words “regulatory inspections”; and in line 1067 by inserting after the word “premises” the words “to ensure compliance with the regulations established by the commission”.

The amendments were adopted.

Mr. Fernandes of Falmouth then moved to amend the bill by adding the following section:

“SECTION 47. The Cannabis Control Commission shall make necessary accommodations and special regulations for the counties of Dukes and Nantucket. Such regulations shall be in place on or before May 1, 2018.”.

The amendment was adopted.

Mr. Gordon of Bedford then moved to amend the bill in section 2, in line 708, by inserting after the word “licensed” the words “; provided, however, that an ordinance or by-law may prohibit a cannabis establishment in an area that was previously zoned to allow a medical use cannabis establishment, if no license was issued”.

The amendment was rejected.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Smizik of Brookline moved to amend it in section 2, in line 1457, by inserting after the word “designee”, the second time it appears, the words “; the President of



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the Massachusetts Patient Advocacy Alliance, Inc. or his or her designee”, in line 1458 by striking out the figures: “13” (as inserted by amendment) and inserting in place of thereof the figures: “11”; and in lines 1460 and 1461 by striking out the following: “2 individuals” and inserting in place thereof the following: “1 individual”.

The amendments were adopted.

Mr. Rogers of Cambridge then moved to amend the bill in section 2, by inserting after line 728 the following paragraph:

“(e) Absent clear, convincing and articulable evidence that the person’s actions related to marijuana have created an unreasonable danger to the safety of a minor child, neither the presence of cannabinoid components or metabolites in a person’s bodily fluids nor conduct permitted under this chapter related to the possession, consumption, transfer, cultivation, manufacture or sale of marijuana, marijuana products or marijuana accessories by a person charged with the well-being of a child shall form the sole or primary basis for substantiation, service plans, removal or termination or for denial of custody, visitation or any other parental right or responsibility.”.

The amendment was adopted.

Ms. Provost of Somerville and other members of the House then moved to amend the bill in section 2, in line 802, by inserting after the word “chapter” the words “, provided however the bureau shall not have the power to detain or arrest individuals; or to conduct warrantless searches of individuals, vehicles, structures, or premises, or seizures of books, papers, accounts, or real property; and provided further that employees of the bureau shall not use or carry firearms.”.

The amendment was rejected.

Mr. Rogers of Cambridge and other members of the House then moved to amend the bill in section 2, in lines 1014, 1015 and 1016, by striking out the following: “; (iii) committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable for a license under this chapter;”.

The amendment was adopted.

The same members then moved to amend the bill in section 2, in lines 453, 454 and 455, by striking out the paragraph contained in those lines; and the amendment was adopted.

Mr. Hunt of Boston then moved to amend the bill by striking out section 34 and inserting in place thereof the following section:

“SECTION 34: Notwithstanding any general or special law to the contrary, the Massachusetts cannabis control commission established pursuant to chapter 10A of the General Laws shall promulgate regulations, guidelines and protocols necessary for the issuance of cannabis licenses pursuant to said chapter 10A no later than March 15, 2018. The commission shall begin to accept applications for cannabis licenses pursuant to said chapter 10A no later than April 1, 2018; provided, however, that the commission shall not issue an adult use cannabis license pursuant to chapter 10A until July 1, 2018.”.

The amendment was adopted.

Mr. Rogers of Cambridge and other members of the House then moved to amend the bill in section 2, in line 698, by inserting after the word “chapter” the words “; provided however that such ordinances and bylaws may not be unreasonably impractical.”.

The amendment was adopted.

Messrs. Smizik of Brookline and Cusack of Braintree then moved to amend the

bill in section 2, by inserting after line 100, the following paragraph:

“‘Electronic certification’ a document signed or executed electronically by a registered healthcare professional, stating that in the healthcare professional's professional opinion, the potential benefits of marijuana for medical use would likely outweigh the health risks for the qualifying patient. Such certification shall be made only in the course of a bona fide healthcare professional-patient relationship and shall specify the qualifying patient's debilitating medical condition(s). Electronic certifications upon submission by a healthcare professional to the commission shall automatically generate a temporary registration”;

In line 273 by inserting after the word “establishment.” the following sentence: “A temporary registration issued to a qualifying patient shall be deemed a registration card”; and

By inserting after line 288 the following paragraph:

“‘Temporary Registration’ an interim registration document for patients and their personal caregivers generated automatically upon the commission's receipt of a healthcare professional's electronic certification. The temporary registration document shall constitute a registration card for patients and their personal caregivers to access medical use cannabis establishment. Temporary registration shall expire 14 days after the commission issues the registration card”.

The amendments were adopted.

Mrs. Kane of Shrewsbury then moved to amend the bill in section 2, in line 1381, by inserting after the word “representations” the words “, mascots, cartoons”; and the amendment was adopted.

The same member then moved to amend the bill in section 2, before line 667, by inserting the following: “(37) investigate, in conjunction with the department of public health, the effects of marijuana and marijuana products with a high potency of tetrahydrocannabinol on the human body and recommend whether there should be restrictions on the potency of tetrahydrocannabinol in marijuana and marijuana products; and establish what that restriction may be.”.

The amendment was adopted.

Mrs. Kane then moved to amend the bill by adding the following section:

“SECTION 48. The department of public health, in consultation with the cannabis control commission, shall create the following science-based public awareness campaigns: (i) a campaign to inform the public about responsible adult use of marijuana, including information on edibles and warnings about the dangers of manufacturing marijuana products at home; and (ii) a campaign to educate youth about marijuana use with a goal of decreasing the youth usage rate. The public awareness campaigns shall be funded from revenues received from the Cannabis Revenue Fund established in Section 28.”.

The amendment was adopted.

Mrs. Kane of Shrewsbury then moved to amend the bill by adding the following section:

“SECTION 49. The executive office of public safety and security shall create public awareness campaigns to educate the public about impaired driving, including, but not limited to, impairment by the use of marijuana. The public awareness campaign shall be funded from revenues received from the Cannabis Revenue Fund established in Section 28.”.

The amendment was adopted.

Representatives Kane of Shrewsbury and Provost of Somerville then moved to amend the bill by adding the following section:

“SECTION 50. The commission shall develop a research agenda in order to

understand the social and economic trends of marijuana in the commonwealth, to inform future decisions that would aid in the closure of the illicit marketplace and inform the commission on public health impacts of marijuana. The research agenda shall include, but not be limited to: (i) patterns of use, methods of consumption and general perceptions of marijuana; (ii) incidents of impaired driving and hospitalization related to marijuana use including a report of the state of the science around identifying a quantifiable level of marijuana-induced impairment of motor vehicle operation; (iii) economic and fiscal impacts for state and local governments, which shall include the impact of legalization on the production and distribution of marijuana in the illicit market as well as costs and benefits to state and local revenue; (iv) ownership and employment trends in the marijuana industry examining participation by racial, ethnic and socio-economic subgroups, including identification of barriers to participation in the industry; (v) a market analysis examining the expansion or contraction of the illicit marketplace and the expansion or contraction of the legal marketplace that includes estimates and comparisons of pricing and product availability in both markets; and (vi) a compilation of data on the number of arrests, prosecutions, incarcerations and sanctions imposed as a result of violations of chapter 94C for possession, distribution or trafficking of marijuana or marijuana products, including identification of race, gender, country of origin, state geographic region and average sanctions of the individuals charged.

The commission shall incorporate available data into its research plan and coordinate and form partnerships with the department of public health, the executive office of public safety and security and the executive office of labor and workforce development. The commission shall annually report on the results of its research agenda and, when appropriate, make recommendations for further research or policy changes. The commission shall publish the first such report not later than July 1, 2019.”.

The amendment was adopted.

Mr. Holmes of Boston then moved to amend the bill in section 2, in line 1221, by inserting after the word “programs” the following: “in municipalities that have not rejected the provisions of this chapter relative to adult use cannabis establishments, medical use cannabis establishments, a marijuana product manufacturer or a marijuana cultivator pursuant to subsection (b) of section 6.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Holmes of Boston; and on the roll call 22 members voted in the affirmative and 132 in the negative.

**[See Yea and Nay No. 69 in Supplement.]**

Therefore the amendment was rejected.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2, in line 31, by striking out the word “should” and inserting in place thereof the word “shall”;

In line 572, by inserting after clause (32) (as changed by the committee on Bills in the Third Reading) the following:

“(33) The commission shall adopt diversity licensing goals that provide meaningful participation of communities disproportionately affected by cannabis prohibition and enforcement, including minority business enterprises, women business enterprises and veteran business enterprises. The commission shall, in consultation with, develop training programs designed and implemented to achieve meaningful participation by minority persons, women, and veterans. These programs shall include but not limited to; (i) recruitment of minority, women, and veteran owned business enterprises to become licensed in cannabis related

Amendment  
rejected,—  
yea and nay  
No. 69.

businesses; (ii) develop workforce training for minorities, women, and veterans to enter into cannabis related businesses and; (iii) create employer training to attract minorities, women, and veterans into the workforce.

In implementation of licensing of adult use marijuana retailers, the commission shall prepare quarterly reports which shall include but are not limited to: (i) the total number of licensed adult use marijuana retailers; (ii) the number and percentage of licenses provided to minority, women, and veteran owned business; (iii) the total number and percentage of minority, women, and veteran employees in the adult use marijuana industry. Said reports shall be submitted to the treasurer and receiver general, the house and senate chairs of the joint committee on marijuana policy, the clerks of the house and senate, and the Governor. The commission shall post each quarterly report on its website.

For the purposes of this clause, the terms ‘minority business enterprise’, ‘women business enterprise’, and ‘veteran business enterprise’ shall have the same meanings as defined in section 58 of chapter 7.”;

In lines 1012-1013 by striking out the words “or other crime involving embezzlement, theft, fraud or perjury” and inserting in place thereof the words “, provided that an applicant that has been convicted of a felony may apply to the commission for a waiver if such conviction occurred 25 years or more prior to the date of the submission of the application”; and

In line 1016 by striking out the following: “or (iv)”.

On the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 141 members voted in the affirmative and 13 in the negative.

Consolidated amendments adopted,—  
yea and nay  
No. 70.

**[See Yea and Nay No. 70 in Supplement.]**

Therefore the consolidated amendments were adopted.

Representative Rogers of Cambridge and Provost of Somerville then moved to amend the bill in section 2, in lines 865 through 869, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“Section 12. No person shall operate a cannabis establishment without a cannabis license. No person shall be granted more than 3 adult use cannabis license, 3 medical use cannabis license, 3 marijuana product manufacturer license or 3 marijuana cultivator license; provided, however, that a person may hold 3 adult use cannabis license, 3 medical use cannabis license, 3 marijuana product manufacturer license and 3 marijuana cultivator license.”.

The amendment was adopted.

Mrs. Kane of Shrewsbury then moved to amend the bill in section 2, in lines 707 and 708, by striking out the sentence contained in those lines; and the amendment was adopted.

The Chair (Mr. Petrolati of Ludlow) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o’clock P.M.

Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll call (Mr. Donato of Medford being in the Chair) 128 members voted in the affirmative and 26 in the negative.

Rule 1A  
suspended,—  
yea and nay  
No. 71.

**[See Yea and Nay No. 71 in Supplement.]**

Therefore Rule 1A was suspended.

After debate on the question on passing the bill, as amended, to be engrossed,

Mr. Chan of Quincy then moved to amend it by inserting after section 34 the following section:

“SECTION 34A. The commission shall identify all applications for cannabis licenses submitted between April 1, 2018 and April 15, 2018 from registered marijuana dispensaries with a final certificate of registration in good standing with the department of public health pursuant to 105 CMR 725.000 that are operational and dispensing to qualifying patients. The commission shall grant or deny such applications prior to reviewing any other applications for cannabis licenses. The commission shall not approve any application for an adult-use cannabis license submitted by such a registered marijuana dispensary if, pursuant to chapter 10A, a host community has voted to reject the provisions of that chapter relative to adult-use cannabis establishments.”.

The amendment was adopted.

After debate on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill moved to amend it in section 2, in line 16, by striking out the word “abuse” and inserting in place thereof the word “use”;

In lines 135 and 136 by striking out the sentence contained in those lines and inserting in place thereof following paragraph:

“‘Industrial hemp’, shall have the same meaning as in section 116 of chapter 128.”;

In line 225 by striking out the word “Operation” and inserting in place thereof the word “Operations”;

In line 310 by inserting after the word “health” the words “, mental health, substance use.”;

In line 526 by striking out the words “and by any regulated entity”;

In line 531 by striking out the words “and any regulated entity”;

In line 617 by striking out the text contained in that line;

In section 2, in subsection 4, in clause (33) (inserted by amendment), by inserting after the word “with”, the words “the supplier diversity office under the executive office of administration and finance”;

In lines 1034 to 1040, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph: “(d) The commission shall not issue a cannabis license to an applicant if the property where the proposed cannabis establishment is to be located is within a radius of 500 feet measured in a straight line from the nearest point of the proposed cannabis establishment to the nearest point of a pre-existing public or private school providing education in pre-kindergarten, kindergarten or any grades 1 through 12, a daycare center, or any facility in which children commonly congregate.”;

In line 1133 by inserting after the word “felony” the words “, provided that a person seeking to register as a cannabis employee that has been convicted of a felony may apply to the commission for a waiver if such conviction occurred 25 years or more prior to the date of the submission of the registration”;

In line 1147 by inserting after the word “felony” the words “and did not receive a waiver pursuant to this section”;

In line 1159 by inserting after the word “felony” the words “or has received a waiver pursuant to this section”;

In lines 1220 and 1221 by striking out the following: “\$30,000,000 shall be expended annually on substance abuse prevention and treatment programs” and inserting in place thereof the following: “\$50,000,000 shall be expended annually on substance abuse prevention and treatment programs; provided, further, that \$5,000,000 of said funds shall be expended annually to school districts to provide

**UNCORRECTED PROOF.**

substance use education, prevention, intervention support and training”;

In lines 1336 and 1337 by striking out the two paragraphs contained in those lines;

By inserting after line 1405 the following paragraph:

“(k) No signs or other printed matter advertising any brand or kind of marijuana shall be displayed on the exterior or interior of any cannabis establishment wherein marijuana is not regularly and usually kept for sale.”; and

In lines 1438 to 1439, by striking out the words “economic development and emerging technologies” and inserting in place thereof the words “marijuana policy”;

In section 34A (as inserted by amendment) by inserting after the word “final” the words “or a provisional”; and

In section 39, in line 1854, by inserting after the word “of”, the first time it appears, the words “adult use”; and in line 1857, by inserting before the word “marijuana” the words “adult use”.

The amendments were adopted.

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 Mrs. Kane of Shrewsbury; and on the roll call 126 members voted in the affirmative and 28 in the negative.

**[See Yea and Nay No. 72 in Supplement.]**

Therefore the bill, as amended, was passed to be engrossed. The bill (House, No. 3776, published as amended) then was sent to the Senate for concurrence.

Bill passed to  
be engrossed,—  
yea and nay  
No. 72.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered*, That when the House adjourns today, it adjourn to Friday next at eleven o’clock A.M.

Next  
sitting.

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Speaker DeLeo of Winthrop and Representative Pignatelli of Lenox then moved that as a mark of respect to the memory of Gailanne M. Cariddi, a member of the House from North Adams from 2011 to present, who passed away last Saturday, the House adjourn; and the motion prevailed.

Accordingly at a quarter before ten o’clock P.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Friday at eleven o’clock A.M., in an Informal Session.