

## JOURNAL OF THE HOUSE.

---

Wednesday, January 27, 2016.

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 Prayers.*

At the request of Messrs. Bradley of Hingham and Murphy of Weymouth, the members, guests and employees stood in a moment of silent tribute to the memory of Hingham resident, Corporal Christopher Orlando, United States Marine Corps who was killed in a training mission off the coast of Hawaii. He was a member of the Marine Heavy Helicopter Squadron 463 – Marine Aircraft Group 24, 1st Marine Aircraft Wing. Corporal Christopher Orlando of Hingham.

At the request of Mr. Collins of Boston, the members, guests and employees stood in a moment of silent tribute to the memory of Charles W. McCarthy of South Boston, a Korean War Veteran who earned the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal and a Bronze Service Star for his service during the war. Upon returning from Korea, he worked with the Postal Service for 30 years and also served the Boston Police Department's School Traffic Division. Charles W. McCarthy.

Charles was born on July 23, 1931 and married Pauline Sidonio on August 9, 1952. They had 7 children, 15 grandchildren, one of whom is our own Representative Nick Collins of Boston, and 1 great grandchild.

### *Messages from the Governor.*

A message from His Excellency the Governor submitting the annual budget of the Commonwealth for the fiscal year beginning July 1, 2016 (House, No. 2), was filed this day in the office of the Clerk. General Appropriation Bill.

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

A message from His Excellency the Governor recommending legislation relative to promoting sustainable economic development in Massachusetts (House, No. 3978), was filed this day in the office of the Clerk. Economic development.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

Guests of the House.

Speaker's sister Carol Maniglia and Robert Spellane.

Prior to the Speaker's Address to the Citizens of the Commonwealth, he introduced, seated behind the Third Reading Committee Rostrum, his sister Carol Maniglia of Lynnfield; and, after his remarks, he introduced, standing at the rear of the Chamber, former Representative Robert P. Spellane of Worcester.

Senator Jack M. Martins of New York State.

During the session, the Speaker declared a brief recess and introduced New York State Senator Jack M. Martins of the 7th Senate District of New York State. Senator Jack M. Martins was accompanied by Massachusetts State Senator Rodrigues. They were the guests of Representatives Cabral of New Bedford, Carvalho of Boston, Fernandes of Milford, Silvia of Fall River and Vieira of Falmouth.

Brazilian Federal Deputies Pastor Eurico.

Later in the session, the Chair (Mr. Donato of Medford) introduced Federal Deputies Pastor Eurico, a member of the Brazilian Chamber of Deputies, accompanied by an entourage of several men. They were the guests of the Speaker and Mr. Donato.

Resolutions.

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

Andrew Barrick.

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Andrew Barrick on receiving the Eagle Award of the Boy Scouts of America;

Charles W. McCarthy.

Resolutions (filed by Mr. Collins of Boston) recognizing Charles W. McCarthy for his outstanding military service and a life spent in public service; and

Seth Morris.

Resolutions (filed by Mr. Kocot of Northampton) honoring Seth Morris on the occasion of his sixtieth birthday;

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:

Falmouth,—land.

By Representative Madden of Nantucket and Senator deMacedo, a joint petition (accompanied by bill, House, No. 3976) of Timothy R. Madden and Viriato M. deMacedo (by vote of the town) that the town of Falmouth be authorized to convey a certain parcel of land to West Falmouth Library, Inc. To the committee on Municipalities and Regional Government.

Plymouth,—land.

By Mr. Muratore of Plymouth, a petition (accompanied by bill, House, No. 3966) of Mathew Muratore and others (by vote of the town) that the town of Plymouth be authorized to repeal a certain act authorizing said town to lease certain land. To the committee on State Administration and Regulatory Oversight.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Atkins of Concord, a petition (subject to Joint Rule 12) of Cory Atkins and Carole A. Fiola relative to informed consent for concurrent surgical procedures. Concurrent surgeries.

By Mr. Durant of Spencer, a petition (subject to Joint Rule 12) of Peter J. Durant relative to the death benefits of fraternal benefits societies and cemetery corporations. Death benefits.

By the same member, a petition (subject to Joint Rule 12) of Peter J. Durant and Colleen M. Garry for legislation to prohibit a municipality or regional school district from using public funds or other public resources for the recruitment of students from outside the municipality or regional school district. School districts,—recruitment.

By Mr. Lyons of Andover, a petition (subject to Joint Rule 12) of James J. Lyons, Jr., and Joseph D. McKenna for legislation to restrict the public funding of Planned Parenthood Federation of America and its affiliates. Planned Parenthood,—funding.

By Messrs. Muradian of Grafton and Whelan of Brewster, a petition (subject to Joint Rule 12) of David K. Muradian, Jr., Timothy R. Whelan and others for legislation to regulate certain synthetic hallucinogenic substances. Synthetic hallucinogenic substances.

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

Papers from the Senate.

The Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendments (inserting after section 4 the following section: Motor vehicle license suspensions.

“SECTION 4A. Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following new section:—

22½. The registrar shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C or adjudged a delinquent child by reason of having violated paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C; provided, however, that the period of such suspension shall not exceed five years; and provided further, however, that such person may after the completion of any time served apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes or any other hardship purpose for the balance of any such license suspension. The registrar, at his or her discretion, may issue such license under such terms or conditions as he may prescribe.”; by striking out sections 5, 6 and 7 and inserting in place thereof, the following section:

“SECTION 5. Sections 2 and 4 shall take effect July 1, 2016.”; and by 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 provide forthwith for the prohibition of automatic license suspensions for non-vehicle-related drug offenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.) with a further

Motor vehicle license suspensions. amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094.

Committee of conference. Under suspension of the rules, on motion of Mr. Straus of Matapoisett, the amendments were considered forthwith. The House then non-concurred with the Senate in its further amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Straus, Fernandes of Milford and Hill of Ipswich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Roxbury section of Boston, redevelopment. A Bill further regulating redevelopment in the Roxbury section of the city of Boston (Senate, No. 1058, changed in line 8 by striking out the word "and", and in line 9 by inserting after the word "designees" (as published) the words "and the sitting mayor of the city of Boston or respective designee; provided further, that") (as changed by the Senate committee on Bills in the Third Reading) (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.

Salisbury, liquor licenses. Petitions were referred, in concurrence, as follows: A petition (accompanied by bill, Senate, No. 2111) of Kathleen O'Connor Ives and James M. Kelcourse (by vote of the town) for legislation relative to liquor licenses within the town of Salisbury. To the committee on Consumer Protection and Professional Licensure.

Milton, selectmen. A petition (accompanied by bill, Senate, No. 2112) of Brian A. Joyce, Daniel Cullinane and Walter F. Timilty (by vote of the town) for legislation to increase the membership of the Board of Selectmen of the town of Milton from three to five members. To the committee on Municipalities and Regional Government.

High schools, mental health education. Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows: Petition (accompanied by bill, Senate, No. 2114) of Jennifer L. Flanagan for legislation relative to the promotion of mental health education in Massachusetts high schools. To the committee on Education.

Safe driving, open containers. Petition (accompanied by bill, Senate, No. 2116) of Bruce E. Tarr, William N. Brownsberger, James Arciero, Shawn Dooley and other members of the General Court for legislation relative to safe driving and open containers. To the committee on the Judiciary.

Bellingham, water main. Petition (accompanied by bill, Senate, No. 2117) of Ryan C. Fattman and Kevin J. Kuros for legislation relative to the town of Bellingham and water main easement. To the committee on State Administration and Regulatory Oversight.

Reports of Committees.

Gas stations, air compressors. 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 others for legislation to require gas stations to provide air compressors for free public use. 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 Transportation. 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 Chris Walsh and others for legislation to authorize international students with F-1 visas who have obtained a drivers permit to drive. Under suspension of the rules, on motion of Mr. Walsh of Framingham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

International students, driving.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following matters ought to pass: Bill to create the position of poet laureate for the Commonwealth of Massachusetts (House, No. 2927); and

Poet laureate.

Resolve establishing a commission to study art in public spaces (House, No. 2928); Severally referred, under Rule 33, to the committee on Ways and Means.

Study, art.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on Senate, No. 1282 and House, Nos. 2094, 2101, 2123 and 2161, a Bill relative to the safety of students (House, No. 2161).

Students, school buses.

By the same member, for the same committee, on a petition, a Bill requiring the hands-free use of mobile telephones while driving (House, No. 3474).

Driving, mobile phones.

By Mr. Murphy of Weymouth, for the committee on Public Service, on House, Nos. 2306 and 3492, a Bill relative to amending disability or death caused by certain conditions of cancer (House, No. 3492).

State police, disabilities.

By the same member, for the same committee, on House, No. 2289, a Bill relative to the PRIM board (House, No. 3964).

PRIM board.

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

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill authorizing the town of Walpole to grant five liquor licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3872) [Local Approval Received].

Walpole, liquor licenses.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Shrewsbury to grant an additional liquor license (House, No. 3880) [Local Approval Received].

Shrewsbury, liquor license.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Salem to grant one additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 3891) [Local Approval Received].

Salem, liquor license.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Westborough to grant an additional liquor license (House, No. 3896) [Local Approval Received].

Westborough, liquor license.

Beverly,—  
liquor  
licenses.

By the same member, for the same committee, on a joint petition, a Bill further authorizing the city of Beverly to issue additional liquor licenses (House, No. 3934) [Local Approval Received].

Shirley,—  
elections.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a joint petition, a Bill providing for recall elections in the town of Shirley (House, No. 3784) [Local Approval Received].

North  
Attleborough,—  
government.

By the same member, for the same committee, on a petition, a Bill relative to the form of representative town government in the town of North Attleborough (House, No. 3853) [Local Approval Received].

Rochester,—  
town  
meeting.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to a town meeting held in the town of Rochester (printed in House, No. 3918).

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

*Emergency Measure.*

Janaina  
Euriques,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Janaina Euriques, an employee of the Department of Children and Families (see House, No. 3900), 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.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

*Engrossed Bill.*

Bill  
enacted.

The engrossed Bill authorizing the town of Tyngsborough to grant additional licenses for the sale of alcoholic beverages (see House, No. 3691, 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.

*Recess.*

Recess.

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

*Quorum.*

Quorum.

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

Quorum,—  
yea and nay  
No. 190.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (the Speaker being the Chair) 142 members were recorded as being in attendance.

**[See Yea and Nay No. 190 in Supplement.]**

Therefore a quorum was present.

*Pledge of Allegiance.*

The Speaker then introduced and praised Boston Police Officer Brian Delahanty who led the members, guests and employees in reciting the pledge of allegiance to the flag. Officer Delahanty is the son of Patricia Delahanty of the House Business Office.

Pledge of  
allegiance.

*Address of Speaker Robert A. DeLeo of Winthrop.*

The address of Speaker Robert A. DeLeo of Winthrop to the Citizens of the Commonwealth was spread upon the records of the House, there being no objection, as follows:

Address of  
Speaker  
Robert A.  
DeLeo of  
Winthrop.

Colleagues: I am proud to stand before you today to mark the beginning of a new year and discuss our agenda; an agenda shaped by conversations with each of you, whether here in the State House or in your communities across the Commonwealth.

Under the Massachusetts Constitution, members of the House of Representatives have a unique job. You bring the individual voices of 6.75 million Massachusetts residents to Beacon Hill. With each of you representing some 40,000 residents, it is you who hear local concerns first.

Your sacred role as the voice of the people in Massachusetts government comes with tremendous challenges and weighty responsibilities.

And, I'm proud to say, you've met these challenges. With this as our foundation, the House will continue its legacy of constructing practical and sustainable solutions that address the concerns of your constituents. With 160 members, one of the first things every representative learns is that none of us can accomplish anything alone.

In the House, consensus drives us. We embrace our reputation as consensus builders. We owe that to our constituents; and that, my friends, has made our state a national leader.

From education, to energy to transportation; from economic development bills that focus on diverse regions and industries, to our nationally-heralded gun safety legislation; we are known for pairing bold ideas with commitment to collaboration.

We also know that excellence – the historic excellence that makes Massachusetts a national model in areas like education – is achieved by laying groundwork for continuous improvement over time.

Although we recognize that we're facing real financial constraints, the House will keep its focus on our most precious resource: our children. We have one shot to get this right. And we will.

That's why more than a decade ago, members of the House had the insight to create the first-in-the-nation Department of Early Education and Care. Access to high-quality early education provides short and long-term benefits that not only impact an individual, but impact our society on the whole: everything from kindergarten readiness, to financial independence, to widespread economic health, to incarceration rates.

We will seek ways to improve and revitalize the Massachusetts EEC framework in a responsible, sustainable and forward-looking way.

We will help build a system that early educators, parents, and, most of all, our children deserve. To do so, we will enhance our three-tiered strategy which places a premium on building a strong workforce to ensure improved access to high-quality EEC programming.

Address of  
Speaker  
Robert A.  
DeLeo of  
Winthrop.

In 2014, the House was proud to pass a thoughtful, balanced and consensus-driven achievement gap bill. But we must not stand by idly, waiting for our goals to take shape because there are bumps in the road. Time-and-time again you have steadfastly committed to collaborating in our tried-and-true committee process; to building consensus; and to crafting legislation that is a catalyst for perpetual progress.

We will not allow ourselves to be derailed by distractions and will continue to focus on finding ways to provide educational opportunities for students, especially those most at-risk in the classroom.

We will continue to advance our standing as national leaders in education and explore ways to bring communities together so that parents and students who want innovative learning opportunities can secure them. Districts that want charters should be given the chance to pursue them, or any other option they may deem necessary, in order to do right by their students. We may not always agree on how we get there, but we must respond collectively to students who call out for opportunity.

Another issue that cries out for solution is energy. We know that energy is one of the most complicated matters facing Massachusetts. Our work has to stand the test of time. It must be comprehensive, diverse and deliberate. Because of this, the House has sought to bring all sides to the table.

While we must tackle the complicated questions that our rapidly changing energy infrastructure poses, at the same time, we have to make sure we keep the lights on at a reasonable cost to ratepayers. As I listen to advocates and policy experts, I keep in mind the seniors who have worked their entire lives to build a better future for their family only to find themselves struggling to pay for necessities such as energy. I keep in mind the new moms and dads who are struggling to keep their growing family warm.

This year, the House will pass legislation that will promote resource diversity and cleaner energy, contain costs and ensure that we maintain a reliable electric grid.

While the concepts are complex, at its core this bill will be about supporting our constituents as the Commonwealth continues to grow and compete in a dynamic economy.

When we think about energy costs we are also reminded of the small companies in our hometowns struggling to stay in business. We think about retaining the best and the brightest. We think about attracting companies that could be a game-changer for the Commonwealth's economy.

I want to congratulate all of you for your role in creating a climate that brought GE's world headquarters here. Governor Baker and Mayor Walsh deserve tremendous credit for their bipartisan collaboration in wooing this international leader here, and members of this House paved the way – making tough decisions to exercise fiscal prudence and having the foresight to back economic development programs that support innovation and attract a highly-educated workforce.

One of the reasons that I'm so proud of the House's tradition of consensus-building is because that reputation goes hand-in-hand with fostering a stable, responsible political climate: a key component to improving our economy and supporting hardworking families across the state. With this in mind, the budget coming out of Ways and Means will not contain any new taxes or fees.

In Massachusetts, we embrace innovation. In doing so, we balance time-honored notions of fairness and equity with a belief that competition is healthy. We will again take this approach as we deal with the Transportation Network Company issue. We will find a way to make companies such as Uber and Lyft part of the permanent landscape in Massachusetts while keeping in mind the benefit that competition from taxicabs and livery companies brings to the marketplace.

Consumer choice is a good thing, and we will take up legislation that accomplishes that goal in February.

Each year I look forward to speaking with you as we kickoff the new year. And while we're only a few weeks in, I'm incredibly proud to say that this year we've already passed incredibly meaningful legislation. Our substance addiction bill is a resounding example of consensus-building and bipartisanship, and I want to thank each and every one of you for your leadership and thoughtfulness in combatting this devastating epidemic.

In the House we seek, lasting, meaningful pieces of legislation that help people and reflect thoughtful action. In the months ahead, we will tackle the budget and act on education, energy and innovation.

Coming together from every corner of the Commonwealth, we will do this and more.

God bless the Commonwealth of Massachusetts. God bless America. Thank you.

#### *Engrossed Bills — Land Takings.*

The engrossed Bill authorizing the town of Scituate to convey certain land (see House, No. 3599, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Scituate.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted  
(land taking),—  
yea and nay  
No. 191.

#### **[See Ye and Nay No. 191 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease a certain parcel of land in the town of Southborough (see House, No. 3762, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Southborough.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted  
(land taking),—  
yea and nay  
No. 192.

#### **[See Ye and Nay No. 192 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

North Reading.

The engrossed Bill authorizing the town of North Reading to convey certain park land (see House, No. 3819, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),—yea and nay No. 193.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 193 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Stoughton,—liquor licenses.

Mr. Donato of Medford being in the Chair,— The engrossed authorizing the town of Stoughton to grant 6 licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3695, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rule 40 suspended.

Pending the question on passing the bill to be enacted, Mr. Kafka of Stoughton moved that Rule 40 be suspended; and the motion prevailed. The same member then moved to amend the bill by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Stoughton may grant 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to establishments located within the town’s central business district and the abutting general business district to the west of the central business district bounded by the railroad tracks, Canton street and Morton street, as that district is defined by the town’s zoning map, as it existed as of May 1, 2014, upon approval of and under conditions set by the licensing authority of the town. The licenses shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of any license granted pursuant to this act to any location outside of the central business district and the abutting general business district as set forth in subsection (a), but it may grant the license to a new applicant at a location within the central business district and the abutting general business district, provided that the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority of the town of Stoughton and the licensing authority may then grant the license to a new applicant at a location within the central business district and the abutting general business district under the same conditions as specified in this act.”

The amendment was adopted; and the bill (see House, No. 3695, amended) was sent to the Senate for concurrence.

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

The Speaker being in the Chair,—

The House Bill providing for the annual observance of the month of May as the official month of kindness (House, No. 2747) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee 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. Gordon of Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Kindness month.

Mr. Donato of Medford being in the Chair,—

Prior to the noon recess, the House Bill to eliminate racial and ethnic health disparities in the Commonwealth (House, No. 2048), was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Health disparities.

The amendment previously recommended by the committee on Way and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3969),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules (the Speaker being in the Chair), on motion of Mr. Dempsey, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: “An Act eliminating racial and ethnic health disparities in the Commonwealth.”

After debate on the question on passing the bill to be engrossed, Messrs. Sánchez of Boston and Rushing of Boston moved to amend it in section 4, in line 20, by inserting after the words “appointed by” the words “and report to”; and in line 47, by inserting after the following: “section 160” the words “, and the health policy commission”. The amendments were adopted.

Mr. Jones of North Reading then moved to amend the bill, in section 4, in lines 47 and 48, by striking out the words “of each year and shall be posted on the official website of the commonwealth” and inserting in place thereof the following: “, 2017 and before July 1 of each subsequent year thereafter. The report shall be posted on the official website of the commonwealth.”; and the amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 152 members voted in the affirmative and 3 in the negative.

Bill passed to be engrossed,—yea and nay No. 194.

[See Yea and Nay No. 194 in Supplement.]

Therefore the bill (House, No. 3969, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Reports of Committees.*

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to imitation firearms (House, No. 3476, changed in section 2, in line 11, by inserting after the word "aluminum;" the word "and"; and in lines 13 to 15, inclusive, by striking out the following: "and (iii) has a barrel at least 1 inch in diameter that is closed for a distance of not less than one-half inch from the front-end of its barrel with the same material of which the imitation firearm is made") [Senator Flanagan dissenting]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Bradley of Hingham, the bill was read a second time.

Pending the question on ordering the bill to a third reading, it was referred to the committee on the Judiciary, on motion of the same member. Sent to the Senate for concurrence.

Prior to the noon recess,— By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the Bill further regulating tanning facilities (Senate, No. 1994), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, 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; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules (the Speaker being in the Chair), on motion of Mr. Sánchez, the bill (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, in concurrence (Mr. Donato of Medford being in the Chair), Mr. Dwyer of Woburn moved to amend it by adding the following two sections:

"SECTION 4. All tanning facilities shall be required by the department of public health to prominently post, within one foot of each tanning device, a warning statement outlining the risks in tanning including but not limited to the failure to wear appropriate protective eyewear, such as goggles, can lead to short- and long-term eye injury, long exposures can lead to burning, tanning while using certain medications or cosmetics may make you more sensitive to UV radiation, and the significant risks for skin cancers.

SECTION 5. The department of public health shall promulgate regulations to carry out this act by January 1, 2017."

The amendment was rejected.

On the question on passing the bill to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Ms. Hogan of Stow; and on the roll call 147 members voted in the affirmative and 8 in the negative.

**[See Yea and Nay No. 195 in Supplement.]**

Therefore the bill (Senate, No. 1994) was passed to be engrossed, in concurrence.

Imitation firearms,— regulation.

Tanning facilities.

Bill passed to be engrossed,— yea and nay No. 195.

*Orders of the Day.*

House bills

Creating a special commission studying cutting, welding and hot work processes regulated by the State Fire Code (House, No. 2111); and Establishing Massachusetts farm to school month and commending farm to school programs (House, No. 2782); and

Second reading bills and resolve.

The House Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 82);

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

The House Bill relative to employment benefits for Patricia Kannler (House, No. 2208), was read a second time.

Second reading bill amended.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended in line 5 by striking out the word "installments" and inserting in place thereof the words "enter into an installment agreement to pay"— was adopted; and the bill (House, No. 2208, amended) was ordered to a third reading.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the city of Salem (House, No. 2838, changed), was read a second time.

Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3970),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill authorizing the release of certain land in the town of Cummington from the operation of an agricultural preservation restriction (House, No. 3416), was read a second time.

Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended in section 1, in line 6, by inserting after the word "used" the words "by the town"— was adopted; and the bill (House, No. 3416, amended) was ordered to a third reading.

The House Bill relative to a technical correction of the pension statute (House, No. 3566), was read a second time.

Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3971),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to workers' compensation (House, No. 3765), was read a second time.

Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3972),— was adopted; and the substituted bill was ordered to a third reading.

Second reading  
bill amended.

The House Bill authorizing the Division of Fisheries and Wildlife to convey property to the town of Acton in exchange for other real property (House, No. 3792, changed), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out section 4 and inserting in place thereof the following section:

“SECTION 4. Notwithstanding any general or special law to the contrary, the town of Acton shall be responsible for all costs and expenses relating to the conveyance of property pursuant to section 1, including, but not limited to, costs associated with any engineering, surveys, historical reviews, appraisals and deed preparation related to the conveyances and transfers authorized by this act as such costs may be determined by the commissioner of capital asset management and maintenance.”,— was adopted; and the bill (House, No. 3792, changed and amended) was ordered to a third reading.

Id.

The House Bill relative to the conveyance of a certain parcel of land in the town of Grafton for the Massachusetts State Police Museum and Learning Center (House, No. 3844), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3973),— was adopted; and the substituted bill was ordered to a third reading.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

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

---

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at fourteen minutes after three o'clock P.M., on motion of Mrs. Harrington of Groton (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.