

JOURNAL OF THE HOUSE.

Thursday, January 28, 2016.

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).

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.

Resignation of Representative Robert F. Fennell of Lynn.

January 20, 2016.

Speaker Robert DeLeo
State House, Room 356
Boston, MA 02133

Dear Mr. Speaker:

It is with a heavy heart that I am writing to inform you that I will be resigning from the Great and General Court as I was recently hired to be the next Deputy Director of the Lynn Water and Sewer Commission. Resignation of Representative Robert F. Fennell of Lynn.

Please accept this correspondence as a notice of my resignation as the State Representative from the 10th Essex District at the close of business on February 12, 2016. It has been the greatest honor and privilege to have served in this august body representing the citizens of Lynn for the past twenty-one years.

I thank you for your friendship and for all the kindness that you have extended to me during my tenure, and for your leadership in guiding this great Commonwealth forward. I look ahead to continuing our friendship and professional relationship for many future years.

Sincerely,

ROBERT F. FENNELL,
*State Representative,
10th Essex District—Lynn.*

Orders.

An Order (offered by Speaker DeLeo of Winthrop) was considered forthwith, there being no objection; and it was adopted, as follows:

Ordered. That the House irrevocably accepts the resignation, dated January 20, 2016 and effective at the close of business on February 12, 2016, of Robert F. Fennell as the Representative in the General Court from the 10th Essex District in Lynn, and declares that, by reason of this resignation, the office of Representative from that district is vacant as of February 12, 2016; and be it further Tenth Essex Representative District,—vacancy and time for filling of vacancy.

Ordered. That, the precept to be issued by the Speaker, under the provisions of Section 141 of Chapter 54 of the General Laws, appointing a time for the election to fill the vacancy that shall exist in the

office of Representative in the General Court from said Tenth Essex District shall designate Tuesday, May 10, 2016, as the time ordered by the House of Representatives for said election.

Communication.

Naloxone education. A communication from the Department of Public Health (see item 4512-0204 of Chapter 46 of the Acts of 2015) submitting its report entitled "Overdose Education and Naloxone Distribution and First Responder Naloxone Grants", was placed on file.

Reports.

Welfare investigations. Reports Of the Office of the State Auditor (under Section 17 of Chapter 11 of the General Laws) submitting its quarterly report of the Bureau of Special Investigations from April 1, 2015 to June 30, 2015; and

Public utilities. Of the Office of the Department of Public Utilities (under Section 2 of Chapter 25 of the General Laws) submitting its annual report for the year 2015; and

Unemployment Insurance Trust Fund. The monthly report of the Executive Office of Labor and Workforce Development (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for January, 2016; Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Carlo Casarano. By Mr. Cutler of Duxbury, a petition (subject to Joint Rule 12) of Josh S. Cutler for legislation to establish a sick leave bank for Carlo Casarano, an employee of the Department of Unemployment Assistance.

Vocational students,—machinery. By Mr. Moran of Lawrence, a petition (subject to Joint Rule 12) of Frank A. Moran for legislation to authorize minors enrolled in a course of study and training in a vocational technical education program or a co-operative education program to operate hoisting machinery or motor vehicles.

Donna Juarez. By Mr. Petrolati of Ludlow, a petition (subject to Joint Rule 12) of Thomas M. Petrolati for legislation to establish a sick leave bank for Donna Juarez, an employee of the Department of Developmental Services. Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

Motor vehicle license suspensions. The Senate Bill relative to motor vehicle license suspension (Senate, No. 2021), came from the Senate with the endorsement that said branch had insisted on its further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094) (in which the House had non-concurred).

Committee of conference. The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators McGee, Chandler and Tarr had been joined as the committee on the part of the Senate.

Reports of Committees.

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

The Senate Bill further regulating certain affordable housing in the East Boston section of the city of Boston (Senate, No. 1966) [Local Approval Received]; and

Relative to the creation of a community enhancement fee stabilization fund in the city of Everett (House, No. 3831) [Local Approval Received];

Relative to the creation of a renewable energy fund in the town of Dedham (House, No. 3881) [Local Approval Received];

Relative to a town meeting held in the town of Rochester (printed in House, No. 3918); and

Relative to the town of Mattapoisett general bylaws (House, No. 3924) [Local Approval Received];

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

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, that the recommitted Bill to amend Chapter 27 of the Acts of 1996 (House, No. 3935), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3977). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to donations of alcoholic beverages to non-profit organizations (House, No. 166).

By the same member, for the same committee, on a petition, a Bill increasing the experience and background necessary to operate low pressure processed steam boilers (House, No. 272).

By the same member, for the same committee, on a petition, a Bill relative to notifying automobile lien holders of certain towing and storage costs (House, No. 3590).

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 petition, a Bill relative to the Blue Laws (House, No. 169).

By the same member, for the same committee, on a petition, a Bill relative to in-house cafes (House, No. 220).

By the same member, for the same committee, on a petition, a Bill to allow non-profits to purchase alcohol from retail package stores for charitable events (House, No. 230).

By the same member, for the same committee, on a petition, a Bill regulating the granting of temporary licenses for the sale of wine, beer, and malt liquor at auctions (House, No. 247).

Non-profits,—
liquor
licenses.

By the same member, for the same committee, on a petition, a Bill relative to special alcohol licenses for nonprofit organizations (House, No. 248).

Prize
payments.

By the same member, for the same committee, on a petition, a Bill relative to issuing prize payments to charities (House, No. 275).

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

Engrossed Bills.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Janaina Euriques, an employee of the Department of Children and Families (see House, No. 3900) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill further regulating tanning facilities (see Senate, No. 1994) (which originated in the Senate), 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.

Orders of the Day.

Taunton and
Lakeville,—
land.

The Senate amendment of the House Bill authorizing the town of Lakeville to convey certain property to the city of Taunton (House, No. 3789, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Third
reading
bill.

The Senate Bill establishing a sick leave bank for Roger Sweeney, an employee of the Department of Correction (Senate, No. 2035), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Bolton,—
liquor
license.

The House Bill authorizing the town of Bolton to grant a license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3761) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 7 to 15, inclusive, by striking out the two paragraphs contained in those lines and inserting in place thereof the following two paragraphs:

“(b) The licensing authority shall not approve the transfer of the license to any other location but it may, subject to all of the procedures set forth in section 15A of said chapter 138, grant the license to a new applicant at the same location if 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 the license granted pursuant to this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal

rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this act.”

The amendment was adopted; and the bill (House, No. 3761, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M. Next sitting.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.