

JOURNAL OF THE HOUSE.

Monday, February 1, 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).

Pledge of allegiance.

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.

Message from the Governor — Bill Returned with Recommendation of Amendment.

Norwood,— liquor license.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill authorizing the town of Norwood to grant additional licenses for the sale of all alcoholic beverages [see House, No. 3684, amended] (for message, see House, No. 3982), was filed in the office of the Clerk on Friday, January 29.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Messages from the Governor.

Economic opportunities.

A message from His Excellency the Governor recommending legislation relative to providing opportunities for all (House, No. 3983), was filed in the office of the Clerk on Thursday, January 28.

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.

Hudson,— town meeting.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the actions taken at an annual town meeting held in the town of Hudson (House, No. 3984), was filed in the office of the Clerk on Friday, January 29.

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

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Ferris J. Costa on receiving the Eagle Award of the Boy Scouts of America; and
Resolutions (filed by Mrs. Haddad of Somerset) congratulating Samuel Robert Goodwin on receiving the Eagle Award of the Boy Scouts of America;

Ferris Costa.

Samuel Goodwin.

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

Appointment to a Special Commission.

The Speaker announced that he had appointed Ms. Dykema of Holliston to the special commission established (under Section 30 of Chapter 119 of the Acts of 2015) to make an investigation and study relative to development challenges being experienced by edge communities, such as needs to address transportation, water, cellular and energy infrastructure, transit services, residential development, reuse of former industrial facilities and historic mills, brownfields reclamation, downtown redevelopment and other constraints.

495/Metro West Suburban Edge Communities Commission,— appointment.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley, Viriato M. deMacedo and Hannah Kane relative to naming a certain building at the Massachusetts College of Art and Design as the William J. Hannon Design and Media Center.

William J. Hannon design center.

By Mr. Heroux of Attleboro (by request), a petition (subject to Joint Rule 12) of Russ Morin relative to tipping of employees who perform duties in the kitchen but provide no direct services to customers.

Tipping,— kitchen staff.

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

Papers from the Senate.

Bills
Further regulating the processing of lobsters (Senate, No. 469) (on a petition);

Lobsters.

Relative to 2030 and 2040 emissions benchmarks (Senate, No. 2121) (on Senate, No. 2092); and

Emission benchmarks.

To establish pay equity (Senate, No. 2119) (on Senate, No. 2107); Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Pay equity.

Bills

Establishing a sick leave bank for Robert Albany, an employee of the Department of Correction (Senate, No. 2073, amended in line 4 by inserting after the word "Albany" the words "to care for his spouse") (on a petition); and

Robert Albany,— sick leave.

Wallace Seward,— sick leave.

Establishing a sick leave bank for Wallace Seward, an employee of the Department of Correction (Senate, No. 2118) (on Senate bill, No. 2031);

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

The following notice was received from the Clerk of the Senate, to wit:—

February 1, 2016.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

Senate appointments.

I have the honor to inform you that the Honorable Stanley C. Rosenberg, President of the Senate, with the approval of the Majority Party Caucus, has announced the following appointments:

- Kenneth J. Donnelly as Majority Whip;
- Michael J. Rodrigues as Assistant Majority Whip;
- Joan B. Lovely as a member of the Senate Committee on Ways and Means and the Joint Committee on Ways and Means;
- Cynthia Stone Creem, who has voluntarily resigned as Vice Chair of the Senate Committee on Rules, as Vice Chair of Senate Committee on Bills in Third Reading;
- Eileen M. Donoghue, who has voluntarily resigned as a member of the Senate Committee on Bills in the Third Reading, as Vice Chair of the Senate Committee on Rules; and
- John F. Keenan as a member of the Senate Committee on Bills in Third Reading.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Report of a Committee on a Proposal for an Initiative Amendment to the Constitution.

Constitution,— tax on higher incomes.

A report of the committee on Revenue, in accordance with a provision of Joint Rule 23, that the Initiative petition of Marven-Rhode Hyppolite and others for an initiative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (House, No. 3933), ought to pass [for Majority Report, see Senate, No. 2122, and for Minority Report, see Senate, No. 2123.]

Reports of Committees.

Pipelines,— air quality.

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 Colleen M. Garry, Barbara A. L'Italien and others relative to air quality monitoring for new gas pipeline facilities in the Commonwealth. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

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

- Authorizing the city of Everett to establish a linkage fee revolving fund (House, No. 3828) [Local Approval Received];
- 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]; and

Everett,— revolving fund.
Walpole,— liquor licenses.

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.

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

By Mr. Fernandes of Milford, for the committee on the Judiciary, on a message from His Excellency the Governor, a Bill to comply with the Uniform Interstate Family Support Act (printed in House, No. 3848). Read; and referred, under Rule 33, to the committee on Ways and Means.

Uniform Interstate Family Support Act.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to electronic poll books (House, No. 587).

Electronic poll books.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Helen Annese, an employee of the Trial Court (House, No. 3958).

Helen Annese,— sick leave.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Roger Sweeney, an employee of the Department of Correction (see Senate, No. 2035), 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.

Roger Sweeney,— sick leave.

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 6 to 0. Sent to the Senate for concurrence.

Bill enacted. Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Lisa Hershowitz,— sick leave. The engrossed Bill establishing a sick leave bank for Lisa Hershowitz, an employee of the Department of Developmental Services (see House, No. 3876), 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 6 to 0. Sent to the Senate for concurrence.

Bill enacted. Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills

Bills enacted. Relative to juries and the office of jury commissioner (see House, No. 1354); Mr. McMurtry of Dedham being in the Chair,— Authorizing the town of Dedham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3372);

Mr. Donato of Medford having returned to the Chair,— Authorizing the town of Lakeville to convey certain property to the city of Taunton (see House, No. 3789, amended); and

Designating a certain overpass in the city of Fall River as the Patrolman Edward Joaquin memorial overpass (see House, No. 3794); (Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it were signed respectfully by the acting speakers and sent to the Senate.

Orders of the Day.

Senate bills

Third reading bills. Authorizing the merger of the Annawon Council, Inc., Boy Scouts of America into the Narragansett Council, Boy Scouts of America (Senate, No. 2041); and

Further regulating the designation of certain state entities (Senate, No. 2083);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third reading bill. The House Bill establishing a sick leave bank for Angela Cappelucci, an employee of the Department of Transitional Assistance (House, No. 3915), 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. Sent to the Senate for concurrence.

The House Bill designating the Massachusetts Hospital School as the Pappas Rehabilitation Hospital for Children (House, No. 2739), was read a third time. Pappas Rehabilitation Hospital.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved by striking out section 2 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 designate the Massachusetts Hospital School as the Pappas Rehabilitation Hospital for Children, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendments were adopted; and the bill (House, No. 2739, 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 Wednesday next at eleven o'clock A.M. Next sitting.

At twenty-one minutes after eleven o'clock A.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.