

### JOURNAL OF THE HOUSE.

Wednesday, March 16, 2016.

Met at five minutes after ten 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.

#### Resolutions.

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

South Boston Citizens' Association.

Resolutions (filed by Mr. Collins of Boston) recognizing the South Boston Citizens' Association for their outstanding contributions in memorializing Dorchester Heights and Evacuation Day; and

Evacuation Day.

Resolutions (filed by Representatives Fox of Boston, Collins of Boston and Carvalho of Boston) celebrating the two hundred and forty first commemoration of Evacuation Day;

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

#### Appointments to House and Joint Standing Committees.

The following communication, received this day from the Office of the Speaker of the House, was read for the information of the House; and it was placed on file.

COMMONWEALTH OF MASSACHUSETTS  
HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133

March 16, 2016.

The Honorable Steven T. James, *Clerk*  
House of Representatives  
Commonwealth of Massachusetts  
State House—Room 145  
Boston, Massachusetts 02133

Dear Mr. Clerk:

Appointments to House and Joint standing committees.

Pursuant to Rule 18A, I hereby make the following appointments to fill vacancies on Joint and House standing committees, to wit:—

- Representative Gerard J. Cassidy of Brockton to the 9th positions on the House Committee on Post Audit and Oversight and Joint Committee on Higher Education;
- Representative Stephan Hay of Fitchburg to the 9th positions on the Joint Committees on Election Laws and Municipalities and Regional Government;

- Representative Thomas P. Walsh of Peabody to the 9th positions on the Joint Committees on Revenue and Tourism, Arts and Cultural Development.

Thank you for your attention to this matter.

Very truly yours,

ROBERT A. DeLEO,  
*Speaker of the House.*

#### Orders.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Wednesday, June 1, 2016, within which time to make its final report on current House documents numbered 298, 3219 and 3983 (House, No. 4090).

Economic Development and Emerging Technologies committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Wagner, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Friday, April 15, 2016, within which time to make its final report on current Senate documents numbered 253, 262, 266, 267, 268 and 336; and House documents numbered 326, 327, 336, 341, 422, 462, 489, 498, 3225 and 3402 (House, No. 4086).

Education committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Friday, June 3, 2016, within which time to make its final report on current Senate documents numbered 261, 288, 312, 314 and 2114; and House documents numbered 312, 318, 405, 406, 444, 463, 464, 3221, 3403 and 3804 (House, No. 4087).

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Friday, April 15, 2016, within which time to make its final report on current Senate document numbered 213 (House, No. 4085).

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Mahoney, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Wednesday, May 18, 2016, within which time to make its final report on current Senate documents numbered 483, 485, 506, and 551; and House documents numbered 258, 793, 800, 810, 814, 843, 866, 879, 894, 920, 925, 926, 948, 958 and 3488 (House, No. 4093).

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Monday, May 16, 2016, within which time to make its final report on current Senate documents numbered 1003 and 1008; and House documents numbered 809, 1701, 1718 and 1775 (House, No. 4089).

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Scibak, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Friday, April 15, 2016, within which time to make its final report on current House documents numbered 3747 (House, No. 4096).

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Naughton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Election Laws committee,— extension of time for reporting.

Financial Services committee,— extension of time for reporting.

Labor and Workforce Development committee,— extension of time for reporting.

Public Safety and Homeland Security committee,— extension of time for reporting.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Wednesday, June 22, 2016, within which time to make its final report on current House document numbered 3521 (House, No. 4092).

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kocot, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

State Administration and Regulatory Oversight committee,— extension of time for reporting.

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

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, July 1, 2016, within which time to make its final report on current Senate documents numbered 1747, 1757, 1760, 1761, 1762, 1763, 1764, 1774, 1785, 1786 and 1965; and House documents numbered 644, 2851, 2861, 2881, 2888, 2889 and 2895 (House, No. 4091).

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Golden, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Telecommunications, Utilities and Energy committee,— extension of time for reporting.

*Petitions.*

Representatives Kafka of Stoughton and Cronin of Easton presented a petition (subject to Joint Rule 12) of Louis L. Kafka, Claire D. Cronin and others relative to penalties for operating motor vehicles after licenses to operate have been suspended or revoked; and the same was referred, under Rule 24, to the committee on Rules.

Motor vehicle suspension,— penalties for driving.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 the Judiciary. Sent to the Senate for concurrence.

Representative Donato of Medford and Senator DiDomenico presented a joint petition (subject to Joint Rule 12) of Paul J. Donato, Sal N. DiDomenico and Sean Garballey that the commissioner of Capital Asset Management and Maintenance be authorized to grant certain subsurface easements; and the same was referred, under Rule 24, to the committee on Rules.

Aberjona River,— subsurface easements.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was consid-

ered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Hypertension,—  
task force.

By Ms. DiZoglio of Methuen, a petition (subject to Joint Rule 12) of Diana DiZoglio and others for legislation to establish a pulmonary hypertension task force.

Cigarettes,—  
disposal.

By Mr. Heroux of Attleboro (by request), a petition (subject to Joint Rule 12) of Wayne Briggs relative to the disposal of lighted cigarettes.

Firefighters,—  
creditable  
service.

By Representatives Naughton of Clinton and Ferguson of Holden, a petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., and Kimberly N. Ferguson relative to creditable service for permanent-intermittent or call fire fighters.

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

*Papers from the Senate.*

Tobacco  
purchases.

A report of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 747) of Cynthia S. Creem for legislation relative to the age of tobacco purchase, and recommending the same be referred to the Senate committee on the Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

*Reports*

Of the committee on Public Health, asking to be discharged from further consideration:

Stadiums,—  
restroom  
parity.

Of the petition (accompanied by bill, Senate, No. 1228) of James E. Timilty for legislation relative to parity in the restroom facility requirement for stadiums,— and recommending the same be referred to the committee on Consumer Protection and Professional Licensure;

MassHealth,—  
eligibility  
program.

Of the petition (accompanied by bill, Senate, No. 1181) of Joan B. Lovely, James J. Dwyer, Dennis A. Rosa, Colleen M. Garry and other members of the General Court relative to providing for a presumptive eligibility program for MassHealth applicants,— and recommending the same be referred to the committee on Health Care Financing; and

Health care  
proxies.

Of the petition (accompanied by bill, Senate, No. 1213) of Richard J. Ross for legislation relative to health care proxies,— and recommending the same be referred to the committee on the Judiciary;

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

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

Concord,—  
land.

Petition (accompanied by bill, Senate, No. 2182) of Michael J. Barrett and Cory Atkins for legislation to authorize the commissioner of capital asset management and maintenance to convey a certain parcel of land in the town of Concord.

Peace Day.

Petition (accompanied by bill, Senate, No. 2181) of John F. Keenan, Mark J. Cusack and Ronald Mariano for legislation to establish Peace Day in the Commonwealth.

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 Evandro C. Carvalho relative to voter registration. To the committee on Election Laws.

Voter  
registration.

Petition (accompanied by bill) of Marjorie C. Decker and others relative to recording persons receiving medical attention. To the committee on Public Health.

Patients,—  
videos.

Petition (accompanied by bill) of Danielle W. Gregoire for legislation to establish a sick leave bank for Ellen Atkinson, an employee of the Rehabilitation Commission. To the committee on Public Service.

Ellen  
Atkinson,—  
sick leave.

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

By Mr. Parisella of Beverly, for the committee on Veterans and Federal Affairs, on Senate, Nos. 1905, 1910 and 1913 and House, Nos. 3138, 3150, 3151, 3154, 3157, 3158, 3159, 3161, 3162, 3166 and 3319, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of certain Senate and House documents concerning veterans affairs issues (House, No. 4083).

Veterans  
affairs,—  
study.

By the same member, for the same committee, on Senate, Nos. 1906, 1907, 1908, 1911 and 1912 and House, Nos. 3129, 3132, 3134, 3135, 3137, 3140, 3141, 3142, 3143, 3145, 3147, 3148, 3149, 3152, 3153, 3155, 3163, 3165, 3168, 3169, 3171, 3172, 3174, 3175, 3320, 3362 and 3832, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of certain Senate and House documents concerning veterans benefits issues (House, No. 4084).

Veterans  
benefits,—  
study.

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

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

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

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill to establish licensing standards for drain cleaners (House, No. 165).

Drain  
cleaners.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill automatically registering eligible voters and enhancing safeguards against fraud (House, No. 3937).

Voter  
registration.

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

Businesses,—  
telemarketing.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill to protect businesses from unwanted telemarketing (House, No. 159).

License  
violations.

By the same member, for the same committee, on a petition, a Bill relative to fines for license violations (House, No. 232).

Businesses,—  
location.

By the same member, for the same committee, on a petition, a Bill prohibiting intentional misrepresentation by a business of its location (House, No. 250).

Pub  
breweries.

By the same member, for the same committee, on a petition, a Bill relative to the wholesale of malt beverages produced by a pub brewery (House, No. 282).

Candidates,—  
expenditures.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill enhancing disclosure requirements for expenditures made to support or oppose candidates by certain committees (House, No. 541).

Special  
elections.

By the same member, for the same committee, on a petition, a Bill relative to contribution limits for candidate [sic] running for office in a special election (House, No. 542).

Campaign  
contributions.

By the same member, for the same committee, on a petition, a Bill relative to enhanced disclosure of top-five contributors information (House, No. 543).

Voter  
registration.

By the same member, for the same committee, on a petition, a Bill relative to voter registration for program participants (House, No. 603).

Hudson,—  
town meeting.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at an annual town meeting held in the town of Hudson (printed in House, No. 3984).

Southbridge,—  
elections.

By the same member, for the same committee, on a petition, a Bill relative to the date of town elections in the town of Southbridge (House, No. 3998) [Local Approval Received].

Hull, Norwell  
and  
Marshfield,—  
elections.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to the annual town elections and special state election in the towns of Hull, Marshfield and Norwell (printed in House, No. 4043).

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

*Emergency Measure.*

Helen  
Annese,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Helen Annese, an employee of the Trial Court (see House, No. 3958), 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 2 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.

*Reconsideration.*

Ms. Garlick of Needham asked that the vote be reconsidered by which the House, at the previous sitting adopted the following order:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Elder Affairs be granted until Monday, April 25, 2016, within which to make its final report on current Senate documents numbered 352, 363 and 370 and House documents numbered 518, 520, 535 and 3404 (House, No. 4082).

The motion was entertained; and it prevailed.

Pending the recurring question on adoption of the order, the same member moved to amend it in line 3, by striking out the word “documents”, the first time it appears, and inserting in place thereof the word “document” and in said line by striking out the following: “352, 363, and”; and in line 4 by striking out the figures “520.”. The amendments were adopted.

The order (House, No. 4082, amended) then also was adopted. Sent to the Senate for concurrence.

*Recesses.*

At eighteen minutes after ten o'clock A.M., on motion of Mrs. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at four minutes before twelve o'clock noon, the House was called to order with Mr. Donato in the Chair.

At eighteen minutes after twelve o'clock noon, on further motion of Mrs. Gifford (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twelve minutes after four P.M., the House was called to order with Mr. Donato in the Chair.

*Papers from the Senate.*

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until June 15, 2016, within which time to make its final report on current House documents numbered 29, 172, 184, 237 and 245 and current Senate documents numbered 142, 151 and 187, all relative to consumer protection and professional licensure (Senate, No. 2185).

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until May 2, 2016, within which time to make its final report on current Senate documents numbered 730, 731, 735, 741, 768, 810, 836, 843, 847, 883, 900, 901, 906, 914, 1116, 1801, 1964 and 2116, relative to judicial matters (Senate, No. 2177).

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

Elder Affairs  
committee,—  
extension  
of time for  
reporting.

Recesses.

Consumer  
Protection and  
Professional  
Licensure  
committee,—  
extension of  
time for  
reporting.

The Judiciary  
committee,—  
extension of  
time for  
reporting.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Public Health  
committee,—  
extension of  
time for  
reporting.

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until May 16, 2016, within which time to make its final report on current Senate document numbered 1165, relative to the dispensing of certain cancer related drugs (Senate, No. 2179).

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Id.

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until May 16, 2016, within which time to make its final report on current Senate document numbered 1141, relative to volunteer ambulance service (Senate, No. 2180).

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

*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.

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At twenty-nine minutes after four o'clock P.M., on motion of Mrs. Gifford of Wareham (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.