

## JOURNAL OF THE HOUSE.

Monday, April 11, 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.

### *Message from the Governor.*

A message from His Excellency the Governor recommending legislation relative to state oversight of professional licensing boards (House, No. 4188), was filed in the office of the Clerk on Friday, April 8. Professional licensing boards.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Consumer Protection and Professional Licensure. 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 Representatives Heroux of Attleboro and Poirier of North Attleborough) congratulating Ian A. Ganley on receiving the Eagle Award of the Boy Scouts of America; Ian Ganley.

Resolutions (filed by Representatives Heroux of Attleboro and Poirier of North Attleborough) congratulating Connor Place on receiving the Eagle Award of the Boy Scouts of America; and Connor Place.

Resolutions (filed by Representatives Heroux of Attleboro and Poirier of North Attleborough) congratulating Nicholas Vitorino on receiving the Eagle Award of the Boy Scouts of America; Nicholas Vitorino.

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.

### *Communications.*

#### Communications

From the Massachusetts Development Finance Agency (Mass Development) (see Section 95 of Chapter 287 of the Acts of 2014) reporting the results of its investigation and study of the viability, fiscal impact, potential benefits, statutory and regulatory barriers and anticipated results of establishing a Designated Port Area Fund in order to make loans for the design, construction, repair, renovation, rehabilitation or other capital improvement of existing commercial and marine industrial infrastructure and commercial and public maritime transportation infrastructure in designated port areas as defined in 301 CMR 25.02 Designated Port Area Fund establishment.

[copies of the report were forwarded by MassDevelopment to the committees on Ways and Means and the joint committee on Economic Development and Emerging Technologies];

Children's behavioral health.

From the Department of Mental Health (see Section 9 of Chapter 321 of the Acts of 2008) submitting the annual report of the Children's Behavioral Health (CBH) Knowledge Center; and

Pioneer Valley Transit Authority.

From the Pioneer Valley Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting the Administrator's message and its annual report for the fiscal year 2015;

Severally were placed on file.

*Annual and Special Reports.*

*Annual reports*

Disabled students.

Of the Department of Elementary and Secondary Education (see Section 432 of Chapter 159 of the Acts of 2000) submitting the annual report on Students with Disabilities 2014-2015 [copies forwarded to the House committee on Ways and Means and the joint committee on Education, as required by said law]; and

Innovation schools.

Of the Department of Elementary and Secondary Education (under Section 92(p) of Chapter 71 of the General Laws) submitting the annual report on the implementation and fiscal impact of innovation schools; and

Rose Kennedy Greenway Conservancy, Inc.

A report of the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. (under Section 7 of Chapter 306 of the Acts of 2008) for the second half of fiscal year 2015, entitled "Life on the Greenway" Fiscal Year 2015 Report - July 1, 2014-December 31, 2015 [including Financial Statements] [Note regarding future reports: The Greenway Conservancy has changed its fiscal year from July 1-June 30 to a calendar year];

Severally were placed on file.

*Petition.*

Foxborough, — mandated reporters.

Representative Barrows of Mansfield and Senator Timilty presented a joint petition (accompanied by bill, House, No. 4192) of F. Jay Barrows (by vote of the town) that the town of Foxborough be authorized to establish additional mandated reporters for the purposes of the protection and care of children; and the same was referred to the committee on Children, Families and Persons with Disabilities. Sent to the Senate for concurrence.

*Papers from the Senate.*

Milton, — liquor license.

The Senate Bill authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (Senate, No. 2051, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. (a) Notwithstanding sections 11 and 17 of chapter 138 of the General Laws, the licensing authority of the town of Milton may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises of the restaurant located on the

second floor of 10 Bassett street in the town of Milton, to Lombardi Enterprises, LLC d/b/a/ The Plate restaurant or any successors in interest; provided, however, that any successor in interest shall be subject to approval by the Milton board of selectmen and the alcoholic beverages control commission. An application to transfer the license to a successor in interest shall be granted and approved according to the standard for a new license and all the procedures set forth in section 15A of said chapter 138 shall be applicable thereto. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority of the town of Milton shall not approve the transfer of the license to any other location.

(b) The license may be reissued by the licensing authority of the town of Milton at the same location if an applicant for the license 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. If the license granted under this act 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 of the town of Milton may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

SECTION 2. This act shall take effect upon its passage."), with a further amendment striking out section 1 (inserted by amendment by the House) and inserting in place thereof the following section:

"SECTION 1. (a) Notwithstanding sections 11 and 17 of chapter 138 of the General Laws, the licensing authority of the town of Milton may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Lombardi Enterprises, LLC d/b/a The Plate restaurant located on the second floor of 10 Bassett street. A license granted pursuant to this act shall be subject to the conditions set by the licensing authority and shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the license to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location but the licensing authority may grant the license to a new applicant 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 act 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 specified in this act."

The further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Acton,—  
land.

The House Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Acton in exchange for other real property (House, No. 3792, changed and amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 4 (as amended by the House), striking out the following: “section 1” and inserting in place thereof the words “this act”. The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Swampscott,—  
charter.

A petition (accompanied by bill, Senate, No. 2206) of Thomas M. McGee and Lori A. Ehrlich (by vote of the town) for legislation to revise the charter of the town of Swampscott, was referred, in concurrence, to the committee on Municipalities and Regional Government.

*Reports of Committees.*

Education,—  
resource  
allocation.

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 John H. Rogers and others for legislation to promote educational resource allocation decisions at the local level. 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 Education. Sent to the Senate for concurrence.

Pollinators.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 655, 731 and 3417, a Bill protecting Massachusetts pollinators (House, No. 4187). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Plumbing  
code,—  
exemptions.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 202, a Bill relative to exempting home appliance service and repair technicians from certain provisions of the Massachusetts Plumbing Code (House, No. 4182).

“Made in  
Massachusetts”  
film credits.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 3387, a Bill requiring a “Made in Massachusetts” logo to be included in on screen credits for movies filmed in Massachusetts (House, No. 4179).

Recycling.

By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a joint petition, a Bill improving recycling in the Commonwealth (House, No. 646).

Excavation,—  
safety.

By the same member, for the same committee, on a petition, a Bill relative to improving public safety in excavation (House, No. 2850).

Municipal  
light  
plants.

By the same member, for the same committee, on Senate, No. 1800 and House, No. 2904, a Bill relative to energy efficiency funds generated by municipal light plants (House, No. 2904).

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 House, Nos. 160, 264 and 271, a Bill requiring transparency in telephone solicitations (House, No. 4180). Telephone solicitations.

By the same member, for the same committee, on House, Nos. 193 and 273, a Bill prohibiting robocalls to all mobile telephone devices (House, No. 4181). Cell phones,—robocalls.

By the same member, for the same committee, on House, No. 223, a Bill to prohibit negative option sales and disclosure of financial and personal information without a consumer’s express agreement (House, No. 4183). Consumers,—privacy.

By the same member, for the same committee, on House, No. 3336, a Bill further regulating the sale of alcoholic beverages in the city of Somerville (House, No. 4184) [Local Approval Received]. Somerville,—liquor licenses.

By the same member, for the same committee, on House, No. 3884, a Bill authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 4185) [Local Approval Received]. Acton,—liquor licenses.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 296, a Bill relative to the International Trade Commission’s reporting requirements (House, No. 4178). International Trade Commission.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill authorizing the town of Pelham to continue the employment of Raymond A. Murphy, Jr. as fire chief (House, No. 3575) [Local Approval Received]. Pelham,—Raymond A. Murphy, Jr.

By the same member, for the same committee, on a petition, a Bill relative to firefighters in the town of Concord (House, No. 3878) [Local Approval Received]. Concord,—firefighters.

By the same member, for the same committee, on a petition, a Bill relative to the town of Milton (House, No. 4014) [Local Approval Received]. Milton,—police chief.

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

*Engrossed Bill.*

The engrossed Bill establishing a community enhancement fee stabilization fund in the city of Everett (see House, No. 3831) (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. Bill enacted.

*Orders of the Day.*

The House Bill establishing a sick leave bank for Leanna Babineau, an employee of the Department of Developmental Services (House, No. 4123), 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. Third reading bill.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

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

---

At nine 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 Wednesday at eleven o'clock A.M.