

## JOURNAL OF THE HOUSE.

Monday May 2, 2016.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), 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 enabling the Commonwealth's administration of the Massachusetts Pollutant Discharge Elimination System (House, No. 4254), was filed in the office of the Clerk on Friday, April 29. Pollutant Discharge Elimination System.

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

### *Reports.*

#### Reports

Of the Division of Banks (under Section 6A of Chapter 171 of the General Laws) submitting proposed amendments to 209 CMR 50.00: Parity with Federal Credit Unions (Parity Regulations) implementing regulations under said law (House, No. 4256); and Federal credit union parity,— regulations.

Of the Division of Banks (under Section 14 of Chapter 167 of the General Laws) submitting proposed amendments to 209 CMR 46.00: Community Reinvestment (House, No. 4257); Community reinvestment,— regulations.

Severally were referred, under the provisions of said laws and Rule 24, to the committee on Financial Services. Severally sent to the Senate for concurrence.

### *Resolutions.*

Resolutions (filed with the Clerk by Mr. Crighton of Lynn and other members of the House) commending the National Brain Tumor Society on its recognition of May 2016 as Brain Tumor Awareness Month, were referred, under Rule 85, to the committee on Rules. Brain Tumor Awareness Month.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. D'Emilia of Bridgewater, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Order.*

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

Judiciary committee,— extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Wednesday, June 1, 2016, within which time to make its final report on current House documents numbered 1148, 1211, 1216, 1220, 1248, 1254, 1269, 1270, 1278, 1287, 1297, 1299, 1305, 1313, 1332, 1352, 1357, 1382, 1433, 1463, 1486, 1513, 1549, 1567, 1568, 1569, 1572, 1622, 1628, 1636, 1653, 1654, 1655, 1656, 1663, 1664, 2145, 3252, 3436, 3897, 3993 and 4098.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4252), ought to be adopted. Under suspension of the rules, on motion of Mr. Fernandes, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Secondary metals dealings.

The House Bill regulating secondary metals dealings (House, No. 3806, amended), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2235, amended in section 5, in lines 193 and 194, striking out the following: “(iv) consumer electronics retailers primarily engaged in the business of selling new consumer electronics” and inserting in place thereof the following: “(iv) consumer electronics retailers primarily engaged in the business of selling new consumer electronics; or (v) providers of commercial mobile services, as defined in 47 U.S.C. 332(d), and their authorized agents and retailers that have a contractual relationship with a provider of commercial mobile services to sell their authorized products and services” (as changed by the Senate committee on Bills in the Third Reading).

In lines 344 and 345, striking out the following: “or (iv) consumer electronics retailers primarily engaged in the business of selling new consumer electronics” and inserting in place thereof the following: “(iv) consumer electronics retailers primarily engaged in the business of selling new consumer electronics; or (v) providers of commercial mobile services, as defined in 47 U.S.C. 332(d), and their authorized agents and retailers that have a contractual relationship with a provider of commercial mobile services to sell their authorized products and services” (as changed by the Senate committee on Bills in the Third Reading); and inserting after section 5 the following section:

“SECTION 5A. Any local ordinances pertaining to secondary raw metals dealing, that is consistent with or exceeds the requirements of chapter 140B½ in effect prior to the effective date of said chapter 140B½ may remain in effect.” (as changed by the Senate committee on Bills in the Third Reading).

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

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

The House Order relative to extending until Friday, April 29, 2016 the time within which the committee on State Administration and Regulatory Oversight is authorized to report on current House document numbered 4101 (House, No. 4223), came from the Senate with the endorsement that it had been adopted, in concurrence, with an amend-

ment in line 2, striking out the date “April 29” and inserting in place thereof the date “May 27”.

Under suspension of Rule 35, on motion of Mr. Kocot of Northampton, the amendment was considered forthwith; and it was adopted, in concurrence.

The Senate Order relative to granting the committee Health Care Financing until June 22, 2016, within which time to make its final report on certain Senate and House documents pertaining to the financing and delivery of health care in the Commonwealth (Senate, No. 2243), was considered forthwith, under suspension of the rules, on motion of Mr. Sánchez of Boston; and it was adopted, in concurrence.

Health Care Financing committee,— extension of time for reporting.

The Senate Order relative to granting the committee Health Care Financing until June 1, 2016, within which time to make its final report on certain Senate and House documents relative to the financing and delivery of health care in the Commonwealth (Senate, No. 2261), was considered forthwith, under suspension of the rules, on motion of Mr. Sánchez of Boston; and it was adopted, in concurrence.

Id.

The Senate Order relative to granting the committee on Transportation until May 16, 2016, within which time to make its final report on certain Senate and House documents relative to transportation issues (Senate, No. 2260), was considered forthwith, under suspension of the rules, on motion of Mr. Straus of Mattapoisett; and it was adopted, in concurrence.

Transportation committee,— extension of time for reporting.

A Bill to protect youth from the health risks of tobacco and nicotine addiction (Senate, No. 2296) (on Senate bill No. 2234), passed to be engrossed by the Senate, was read; and it was referred under Joint Rule 1E, to the committee on Health Care Financing.

Tobacco and nicotine.

A Bill relative to self-storage insurance (Senate, No. 2233, amended in lines 52 and 53 by striking out the words “in a form approved by the insurer is provided to each occupant who purchases the coverage” and inserting in place thereof the following: “or a voluntary declination of coverage, in a form approved by the insurer, is provided to each occupant to whom coverage is offered; provided, however, that if insurance is required as a condition of rental under subclause (3) of clause (i), the requirement of evidence of a voluntary declination of coverage shall not apply”) (on Senate bill, No. 533), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Self-storage insurance.

A Bill revising the charter of the town of Swampscott (Senate, No. 2206) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Swampscott,— charter.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2249) of Kenneth J. Donnelly, James J. Dwyer and Jay R. Kaufman (with approval of the

Woburn,— Clapp School.

Woburn,—  
Clapp School.  
Mendon,—  
land.  
Elders and  
disabled,—  
protection.

mayor and city council) for legislation relative to the temporary use of the Clapp School in the city of Woburn; and  
Petition (accompanied by bill, Senate, No. 2250) of Ryan C. Fattman (by vote of the town) for legislation to authorize the town of Mendon to return a certain parcel in the town of Mendon to John D. Gannett, Jr., and Ute D. Gannett;  
Severally to the committee Municipalities and Regional Government.

A petition (accompanied by bill) of Patricia D. Jehlen for legislation relative to protecting elders and persons with disabilities, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Elder Affairs.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2277) was referred, in concurrence, to the committee on Elder Affairs.

*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:

Rape victims.  
Patricia Barry.  
Rick Freni,—  
sick leave.

Petition (accompanied by bill) of Michelle M. DuBois, Carmine L. Gentile and others for legislation to protect victims of rape and children conceived during the commission of said offense. To the committee on the Judiciary.

Petition (accompanied by bill) of Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Patricia Barry, an employee of the Department of Public Health; and

Petition (accompanied by bill) of RoseLee Vincent and Robert A. DeLeo for legislation to establish a sick leave bank for Rick Freni, an employee of the Massachusetts Department of Transportation;  
Severally to the committee on Public Service.

Petition (accompanied by bill) of Russell E. Holmes relative to changing the name of the American Legion Highway to the American Legion parkway. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. Chan of Quincy, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally 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:

Car placards.  
Consumers.

Relative to disabled persons' parking placards (House, No. 11);  
Relative to protecting consumers of the Commonwealth (House, No. 241);

Making municipalities eligible to attend auctions for the purchase of motor vehicles (House, No. 246);

Alcohol sales.  
Teachers.

Relative to the sale of alcohol on Sundays (House, No. 280);  
Relative to the dismissal of teachers (House, No. 315);

Voting.  
Id.

Relative to specially qualified voters (House, No. 602);  
Relative to absentee voting (House, No. 605);

Fire safety.

Relative to fire safety (House, No. 2112);

Relative to the Massachusetts Water Resources Authority (House, No. 2249);

Relative to split-screen technology (House, No. 2951); Split-screens.

Relative to child-centered family law (House, No. 4107); Family law.

Relative to promoting fair housing practices (House, No. 4126); Fair housing.

Amending MGL 21E AND 310 CMR 4.03 (House, No. 4171); Oil spills.

Prohibiting robocalls to all mobile telephone devices (House, No. 4181); Robocalls.

and  
Relative to the curatorship program (House, No. 4210); Curatorship.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill providing for a study to be conducted on the cost feasibility of implementing a ferry service to Long Island in Boston Harbor (House, No. 3311). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Long Island ferry service.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on House, No. 1577, a Bill relative to gender identity and nondiscrimination (House, No. 4253). Gender identity.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to the collection of mobility study data conducted in connection with construction projects funded by MassDOT (House, No. 2966). MassDOT projects.

By the same member, for the same committee, on a joint petition, a Bill relative to veteran registration plates (House, No. 2993). Veterans' plates.

By the same member, for the same committee, on a petition, a Bill relative to aviation preservation restrictions (House, No. 3012). Aviation.

By the same member, for the same committee, on a petition, a Bill to establish an office of maritime planning and policy development (House, No. 3098). Maritime policy.

By the same member, for the same committee, on a petition, a Bill relative to a license plate replacement program (House, No. 3099). License plates.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a joint petition, a Bill relative to Motorcycle Safety (House, No. 3011). Motorcycle safety.

By the same member, for the same committee, on a petition, a Bill to clarify penalties for violations occurring while driving with a hardship license (House, No. 3032). Hardship license.

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

*Engrossed Bills.*

Engrossed bills  
Further defining a quorum of a public body in the town of Milton (see Senate, No. 2001); Bills enacted.

Increasing the membership of the board of selectmen of the town of Milton (see Senate, No. 2112);

(Which severally originated in the Senate);

Bills  
enacted.

Relative to the date of town elections in the town of Southbridge (see House, No. 3998);  
Relative to the use of legal counsel by the town of Southbridge (see House, No. 3999);  
Relative to the Director of Public Works in the town of Southbridge (see House, No. 4000);  
Relative to the removal of the Director of Public Works in the town of Southbridge (see House, No. 4001); and Relative to quasi-judicial boards in the town of Southbridge (see House, No. 4002);  
(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 they were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Donna  
Juarez,—  
sick leave.

The Senate amendment of the House Bill establishing a sick leave bank for Donna Juarez, an employee of the Department of Developmental Services (House, No. 4055, 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 designating Courtroom G within the first district court of Essex County in the city of Salem as the David T. Doyle Courtroom (Senate, No. 866) (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; and it was passed to be engrossed, in concurrence.

Third  
reading  
bills.

House bills  
Authorizing the town of Westborough to grant an additional liquor license (House, No. 3896); and  
Establishing a sick leave bank for Laurie Godwin, an employee of the Department of Youth Services (House, No. 4189);  
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. Severally sent to the Senate for concurrence.

*Order.*

Next  
sitting.

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

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At twenty-one minutes before twelve o'clock noon, on motion of Mr. D'Emilia of Bridgewater (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.