

JOURNAL OF THE HOUSE.

Thursday, May 19, 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.

Resolutions.

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

Resolutions (filed by Mr. Mariano of Quincy) supporting the friendship between Massachusetts and Taiwan in the international community; Taiwan.

Resolutions (filed by Representatives Crighton of Lynn, Ehrlich of Marblehead, Cahill of Lynn and Wong of Saugus) honoring the Saint Mary's High School boys basketball team on their 2016 Massachusetts Interscholastic Athletic Association Division IV State Championship; Saint Mary's,—basketball team.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Brianna Croteau on receiving the Gold Award of the Girl Scouts of America; Brianna Croteau.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Jason Lee Attili on receiving the Eagle Award of the Boy Scouts of America; Jason Attili.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Nolan B. Houston on receiving the Eagle Award of the Boy Scouts of America; Nolan Houston.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Austin C. McCourt on receiving the Eagle Award of the Boy Scouts of America; Austin McCourt.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Matthew S. Richards on receiving the Eagle Award of the Boy Scouts of America; Matthew Richards.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Drew E. Robinson on receiving the Eagle Award of the Boy Scouts of America; Drew Robinson.

Resolutions (filed by Messrs. Walsh of Peabody, Speliotis of Danvers, McGonagle of Everett and Wong of Saugus) congratulating Michael F. Zellen on his appointment to Grand Exalted Ruler of the Benevolent and Protective Order of the Elks of the United States; Michael Zellen.

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

Paper from the Senate.

A report of the committee on Consumer Protection and Professional Licensure, that the communication from the Massachusetts Gaming Commission (pursuant the provisions of Section 9B of Chapter 128A of the regulations. Massachusetts Gaming Commission,—regulations.

Massachusetts Gaming Commission.— regulations. General Laws) submitting proposed amendments to regulations 205 CMR 3.00 and 4.00 relative to harness horse racing and running horse racing and that the regulations and conditions are consistent with the statutory provisions under which they were promulgated (printed in Senate, No. 2237), recommending that the same be placed on file was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Reports of Committees.

Community preservation. 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 David F. DeCoste relative to voter acceptance of community preservation. Under suspension of the rules, on motion of Mr. Nangle of Lowell, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Erving.— retirement benefits. By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to certain employees of the town of Erving (Senate, No. 2227) [Local Approval Received], be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Striped bass. Report of the committees on Rules of the two branches, acting concurrently, that the House Bill relative to the conservation of striped bass (House, No. 4169), ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith.

The House then refused to reject the bill (under Joint Rule 10). The bill then was recommitted, on motion of Mr. Galvin of Canton.

Solitary confinement. By Mr. Fernandes of Milford, for the committee on the Judiciary, on a petition, a Bill to collect data regarding the use of solitary confinement in Massachusetts prisons and jails (House, No. 1381).

By the same member, for the same committee, on House, Nos. 1155 and 1478, a Bill relative to synthetic drugs (House, No. 4310).

Synthetic drugs. Marijuana. By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on House, No. 4186, a Bill relative to the cultivation of marijuana and marihuana (House, No. 4326) [Senator deMacedo dissenting].

Pulmonary hypertension. By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill establishing a pulmonary hypertension task force (House, No. 4121).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Debt-free education. By Mr. Sannicandro of Ashland, for the committee on Higher Education, on a petition, Resolutions supporting efforts to ensure that students from Massachusetts have access to debt-free higher education at public colleges and universities (House, No. 4160). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the following bills ought to pass:

Regarding proportional payments of the Massachusetts Child Psychiatry Access Project (House, No. 1785) [Cost: Greater than \$100,000.00]; Relative to death certificates (House, No. 1982) [Cost: Greater than \$100,000.00]; and

Promoting radon testing (House, No. 2044) [Cost: Greater than \$100,000.00].

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

By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the following bills ought to pass:

Relative to concussion prevention (House, No. 1881); Relative to the definition of a pharmacy (House, No. 1985); Relative to the health care of minors (House, No. 2010); and Relative to assessing the Commonwealth's eye care and vision health needs (House, No. 2046).

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

By Mr. Sánchez of Boston, for the committee on Health Care Financing, on Senate, No. 580 and House, No. 966, a Bill to preserve eligibility for the PACE program and certain waived services (House, No. 966) [Cost: Greater than \$100,000.00].

By Mr. Fernandes of Milford, for the committee on the Judiciary, on House, No. 1475, a Bill relative to reentry from segregation (House, No. 4312).

By the same member, for the same committee, on Senate, No. 883 and House, Nos. 1222, 1487, 1554 and 1638, a Bill relative to the interception of wire and oral communications (House, No. 4313).

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to commuter transit benefits (printed as Senate, No. 2217).

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements (House, No. 4101).

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

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill amending the form of petition accompanying statement of candidate relative to non-partisan municipal elections in the city of Somerville (House, No. 4175) [Local Approval Received].

By Mr. Sánchez of Boston, for the committee on Health Care Financing, on a joint petition, a Bill strengthening the quality and efficiency of home health care services (House, No. 998).

By the same member, for the same committee, on a petition, a Bill relative to trauma informed services (House, No. 1005).

Psychiatry Access Project.

Death certificates.

Radon testing.

Concussions.

Pharmacy.

Minors,— health.

Eye and vision health.

PACE,— eligibility.

Segregation,— reentry.

Wire taps.

Commuter benefits.

Winchester,— easements.

Somerville,— elections.

Home health care.

Trauma services.

Adopted children's act.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on a petition, a Bill making corrections to the adopted children's act (House, No. 1291).

Westfield,—courthouse.

By the same member, for the same committee, on a petition, a Bill dedicating the Westfield district courthouse (House, No. 1642).

Ireland courthouse.

By the same member, for the same committee, on a petition, a Bill designating the Hampden County Superior Court as the Roderick L. Ireland Courthouse (House, No. 3643).

Juveniles,—infractions.

By the same member, for the same committee, on House, No. 1289, a Bill relative to civil infractions for juveniles (House, No. 4311).

Gunfire.

By the same member, for the same committee, on House, Nos. 1380 and 1497, a Bill to prohibit gunfire directed at dwelling houses (House, No. 4314).

Noncompetition agreements.

By Mr. Scibak of South Hadley, for the committee on Labor and Workforce Development, on House, No. 1701, a Bill relative to the judicial enforcement of noncompetition agreements (House, No. 4323).

Billerica,—Yankee Doodle.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill to designate Billerica Massachusetts as the Yankee Doodle Town (House, No. 4251).

Vulnerable road users.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on Senate, No. 1807 and House, No. 3073, a Bill to protect vulnerable road users (House, No. 3073).

PFC Alvin Richard Gale bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the city of Boston as the Navy Cross Recipient PFC Alvin Richard Gale, USMC Memorial Bridge (House, No. 4153).

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

Orders of the Day.

Third reading bill.

The House Bill to modernize election record keeping (House, No. 3232), 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.

Framingham,—land.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain property in the town of Framingham (House, No. 3939, changed) (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 1 to 6, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may sell, lease for terms up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to 1 or more purchasers or lessees an interest in the parcels of land known and numbered as 8 Leland street and 364 Irving street in the

town of Framingham, which were conveyed to the commonwealth by a deed recorded with the Middlesex south registry of deeds in book 1875, page 159 on October 25, 1888."

The amendment was adopted; and the bill (House, No. 3939, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Nicole Dowling, an employee of the Trial Court (House, No. 4286), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Nicole Dowling,—sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

"Notwithstanding any general or special law to the contrary, the trial court shall establish a sick leave bank for Nicole Dowling, an employee of the trial court. Any employee of the trial court may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by Nicole Dowling. If Nicole Dowling terminates employment with the trial court or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the trial court paid leave bank. Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the trial court."

The amendment was adopted; and the bill (House, No. 4286, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Reports of Committees.

Mr. Kafka of Stoughton being in the Chair,—

By Mr. Mahoney of Worcester, for the committee on Election Laws ought NOT to pass, on the joint petition (accompanied by bill, House, No. 4227) of Paul J. Donato and Patricia D. Jehlen (with the approval of the mayor and city council) relative to authorizing the election of a charter commission in the city of Medford. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Medford,—charter.

Mr. Nangle of Lowell, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith; and it was accepted.

Recess.

At twenty minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House recessed until a quarter after one o'clock P.M.; and at that time the House was called to order with Mr. Kafka in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Kelli Murphy, an employee of the Trial Court (see House, No. 4288) (which originated in the House), in respect to which the Senate had concurred in

Bill enacted.

adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

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