

JOURNAL OF THE HOUSE.

Monday, June 20, 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.

Guests of the House.

Amesbury High School Honors American Study Class.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, students from the Amesbury High School Honors American Study Class. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. Accompanying the students was the retiring principal of the school, N. Roy Hamond. They were the guests of Mr. Kelcourse of Amesbury.

Resolutions.

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

Ellen Harde.

Resolutions (filed by Mr. Arciero of Westford) congratulating Ellen Harde of Westford on her selection as the 2016 Unsung Heroine by the Massachusetts Commission on the Status of Women;

Lois Lovely.

Resolutions (filed by Mr. McMurtry of Dedham) honoring Lois Lovely on her fifty years of employment with the Dedham Institution of Savings; and

Frank DePaola.

Resolutions (filed by Mr. Straus of Mattapoisett and other members of the House) commending Frank DePaola on his retirement from the Massachusetts Bay Transportation Authority;

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

Petitions.

Michelle Kannler,—sick leave.

Mr. Miceli of Wilmington presented a petition (subject to Joint Rule 12) of James R. Miceli for legislation to establish a sick leave bank for Michelle Kannler, an employee of the Department of Public Health; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending 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 resolve) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mr. Deleo of Winthrop presented a petition (subject to Joint Rule 12) of Robert A. DeLeo for an investigation by a special commission known as the Task Force on Integrity in State and Local Government (including members of the General Court) of the existing legal and regulatory framework governing the conduct of state, county and municipal elected officials and appointed public employees and other related matters; and the same was referred, under Rule 24, to the committee on Rules.

Elected and appointed public employees,—ethics study.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. DeLeo of Winthrop, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolve) 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:

By Mr. Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato that the State Board of Retirement be authorized to establish a retirement incentive for certain Trial Court employees.

Trial Court,—retirement.

By Mr. Murphy of Weymouth, a petition (subject to Joint Rule 12) of James M. Murphy for legislation to establish a sick leave bank for Kelly White, an employee of Trial Court.

Kelly White,—sick leave.

By Mr. Sánchez of Boston, a petition (subject to Joint Rule 12) of Jeffrey Sánchez for legislation to designate a certain bridge in the city of Boston as the Lance Corporal Alexander Arredondo and Brian Arredondo memorial bridge.

Boston.—Arredondo bridge.

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

Papers from the Senate.

The Senate Bill relative to transgender anti-discrimination (Senate, No. 735, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4343, amended; and by striking out the emergency preamble).

Transgender discrimination.

The bill bore the further endorsement that the Senate had asked for a committee of conference on the disagreeing votes of the two branches; and that Senators Brownsberger, Chang-Diaz and Tarr had been appointed the committee on the part of the Senate.

Committee of conference.

On motion of Mr. Fernandes of Milford, the House insisted on its amendments, concurred in the appointment of a committee of conference; and Representatives Fernandes, Peake of Provincetown and Harrington of Groton were joined as the committee on the part of the House. Sent to the Senate to be noted.

Id.

Wayland,—
land.

The House Bill authorizing the town of Wayland to increase the annual spending limit for its recreation department revolving fund (House, No. 3940, amended), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 5, inserting after the word "Laws", the following: "; provided, however, that the expenditure limit established in this section shall not apply if said clause (4) of said third paragraph of said section 53E½ of said chapter 44 is repealed or if the limit on expenditures established in said clause (4) of said third paragraph of said section 53E½ of said chapter 44 is raised such that it exceeds 2½ per cent of the amount raised by taxation by the town in the most recent fiscal year for which a tax rate has been certified pursuant to section 23 of chapter 59 of the General Laws"; and in line 6, inserting after the word "except" the word "for". The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Falmouth,—
land.

The House Bill authorizing the town of Falmouth to convey certain land to the West Falmouth Library Inc. (House, No. 3976, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1 (as amended by the House), inserting after the word "contrary", the following: "but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Check
cashing,—
regulate.

A Bill creating a maximum allowable check-cashing rate (Senate, No. 2323, amended in section 2, in line 5, by inserting after the word "consideration" the following: "in excess of a \$1 service charge", in line 6, by striking out the following: "payable to the natural person in excess of a \$1 service charge", in line 11, by striking out the figures "2.5" and inserting in place thereof the figures "1.5", in line 12, by inserting after the word "less" the words "or a money order"; and in line 16, by striking out the words ", drafts or money orders" and inserting in place thereof the words "or drafts") (on Senate bill No. 152), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Tolland,—
Lester M.
Walker.

Authorizing the town of Tolland to continue the employment of police officer Lester M. Walker (Senate, No. 1372, amended in section 1, in lines 5, 6 and 7, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "No further deductions shall be made from the regular compensation of Lester M. Walker under chapter 32 of the General Laws for any service subsequent to him reaching 65 years of age, and upon retirement Lester M. Walker shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired at the age of 65.") (on a petition) [Local Approval Received]; and

Senior tax
deferrals.

Increasing the property tax deferral for seniors (Senate, No. 1494, amended by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Clause Eighteenth A of section 5 of chapter 59 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word 'or', in line 557, the following words:— 1 year after.

SECTION 1A. Clause Forty-first A of said section 5 of said chapter 59, as so appearing, is hereby amended by striking out, in lines 1092 to 1095, inclusive, the words 'the amount of income determined by the commissioner of revenue for the purposes of subsection (k) of section 6 of chapter 62, for a single person who is not a head of household' and inserting in place thereof the following figure:— \$80,000.

SECTION 1B. Said clause Forty-first A of said section 5 of said chapter 59, as so appearing, is hereby further amended by inserting after the word 'or', in line 1169, the following words:— 1 year after.

SECTION 2. Section 5K of said chapter 59, as so appearing, is hereby amended by striking out, in line 14, the figure '\$1,000' and inserting in place thereof the following figure:— \$1,500.

SECTION 3. Said section 5K of said chapter 59, as so appearing, is hereby further amended, by striking out, in lines 38 and 39, the words '125 volunteer service hours in a given tax year, rather than \$1,000' and inserting in place thereof the following words:— 175 volunteer service hours in a given tax year, rather than \$1,500.) (on a petition);

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

A petition (accompanied by bill) of William N. Brownsberger, William M. Straus, Jay D. Livingstone, Joseph A. Boncore and other members of the General Court for legislation relative to sight-seeing vehicle safety, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

Sight-seeing
vehicle
safety.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2354) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

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

- Senate bills
 - Providing volunteer firefighters and emergency medical technicians with a local option real estate tax exemption (Senate, No. 1537); and
 - Relative to tax exemptions for deaf residents (Senate, No. 2282); and
- House bill
 - Relative to emergency stock epinephrine in schools (House, No. 415);
 - To ensure appropriate regulation of piggeries (House, No. 652);
 - Further regulating the substitution of interchangeable biosimilars (House, No. 976);
 - Strengthening the quality and efficiency of home health care services (House, No. 998);

Firefighters
and E.M.T.'s.

Deaf,—
taxes.

Epinephrine.
Piggeries.

Biosimilars.

Home care.

Trauma. Relative to trauma informed services (House, No. 1005);
 Adoption. Making corrections to the adopted children’s act (House, No. 1291);
 Pharmacy. Relative to the definition of a pharmacy (House, No. 1985);
 Kid’s health. Relative to the health care of minors (House, No. 2010);
 Snow safety. Providing for a study of the necessity of certain snow safety procedures (House, No. 3833);
 CARE. Establishing the caregiver advise, record, and enable (CARE) act (House, No. 3911);
 Drugs. Relative to the safe handling of hazardous drugs (House, No. 3995);
 Hypertension. Establishing a pulmonary hypertension task force (House, No. 4121);
 Chelmsford Water District. Relative to retirement benefits for the Chelmsford Water District employees (House, No. 4290);
 Juveniles. Relative to civil infractions for juveniles (House, No. 4311);
 Gunfire. To prohibit gunfire directed at dwelling houses (House, No. 4314);
 Middleton. For a certain reserve fund in the town of Middleton (House, No. 4378) [Local Approval Received];
 South Hadley,—land. Authorizing the change of use of certain park land in the town of South Hadley (House, No. 4379) [Local Approval Received]; and
 Vagrants,—statutes. Relative to the reform of archaic laws implicating tramps, vagrants, and vagabonds (House, No. 4392); and
 Child suicide,—study. The House Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 513);
 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.
 Schools,—asthma. By Ms. Hogan of Stow, for the committee on Public Health, on House, Nos. 2042 and 2067, a Bill relative to improving asthma in schools (House, No. 4414).
 Dry cleaning,—solvents. By the same member, for the same committee, on House, No. 2068, a Bill requiring disclosure of solvents used in dry cleaning (House, No. 4415).
 Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.
 Higher education,—student debt. By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the Resolutions supporting efforts to ensure that students from Massachusetts have access to debt-free higher education at public colleges and universities (House, No. 4160), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting the question being on adoption.
 Services,—equal access. From the committee on Steering, Policy and Scheduling (under Rule 7A), the House Bill ensuring equal access to services for all residents of the Commonwealth (House, No. 125), was placed in the Orders of the Day for the next sitting, for a second reading.
 Third reading bills. House bills
 Relative to the STEM advisory council (House, No. 3660); and
 Further regulating the reserve fund for credit unions (House, No. 4193);

Orders of the Day.

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.

The House Bill authorizing the city of Salem to grant one additional license for the sale of wine and malt beverages to be drunk on the premises and establishing an economic development fund (House, No. 3891) (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.

Salem,—liquor license.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 2, in lines 15 to 20, inclusive, by striking out subsection (a) contained in those lines, and inserting place thereof the following subsection: “(a) The city of Salem shall charge a fee for the grant of an annual license for the sale of wines and malt beverages pursuant to this act, which shall be paid by the licensee at the time of issuance, unless the licensing authority agrees to enter into a contract with the licensee to allow the division of the fee into multiple payments over multiple periods of time. If the city elects to accept multiple payments over time from a licensee, the option shall be made available, upon request, to all qualified applicants for a license.”

The amendment was adopted; and the bill (House, No. 3891, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recesses.

At twenty-five minutes before twelve o’clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at five minutes after two o’clock P.M. the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon, at a quarter after two o’clock, took a further recess subject to the call of the Chair, on motion of Mr. Wong of Saugus; and at one minute after three o’clock the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the Department of Fish and Game to acquire land of the town of Townsend (House, No. 3748) [Local Approval Received], be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means,—that the bill be amended in section 2, in line 13, by striking out the following: “Within 15 days following the submittal, the” and inserting in place thereof the word “The”, — pending.

Townsend,—land.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (House, No. 3748, amended) was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At nine minutes after three o'clock P.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.