

JOURNAL OF THE HOUSE.

Thursday, June 30, 2016.

Met according to adjournment at eleven o'clock A.M., 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.

Statement Concerning Representative Khan of Newton.

A statement of Mr. Rushing of Boston concerning Ms. Khan of Newton was spread upon the records of the House, as follows:

Statement concerning Ms. Khan of Newton.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Khan of Newton, is unable to be present in the House Chamber for today's sitting due to a family obligation. Her missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Scibak of South Hadley.

A statement of Mr. Mariano of Quincy concerning Mr. Scibak of South Hadley was spread upon the records of the House, as follows:

Statement concerning Mr. Scibak of South Hadley.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Scibak of South Hadley, is unable to be present in the House Chamber for today's sitting due to his attending to a medical issue concerning a family member. His missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Story of Amherst.

A statement of Mrs. Haddad of Somerset concerning Ms. Story of Amherst was spread upon the records of the House, as follows:

Statement concerning Ms. Story of Amherst.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Story of Amherst, is unable to be present in the House Chamber for today's sitting due to an immediate pressing family situation. Her missing of roll calls today is due entirely to the reason stated.

Resolutions.

Highland Light.

Resolutions (filed with the Clerk by Ms. Peake of Provincetown) on the occasion of the twentieth anniversary celebration of the Highland Light move, were referred under Rule 85, to the committee on Rules.

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

Papers from the Senate.

The House Bill relative to housing, operations, military service, and enrichment (House, No. 4285), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2325. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Military housing.

Bills

To promote personal savings (Senate, No. 2374) (on Senate bill No. 495); and

Savings.

Providing additional penalties for the improper treatment of certain animals (Senate, No. 2390) (on Senate bill No. 2370);

Animals,— treatment.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Establishing peace day in the Commonwealth (Senate, No. 2181, amended by inserting before the enacting clause the following emergency preamble:

Peace day.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith Peace Day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.");

Authorizing the town of Salisbury to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2201) (on Senate, No. 2111) [Local Approval Received]; and

Salisbury,— liquor licenses.

Relative to the city of Chelsea's residential tax exemption (Senate, No. 2268) (on a petition) [Local Approval Received];

Chelsea,— tax exemptions.

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.

The Speaker being in the Chair,—

A petition (accompanied by bill) of Richard J. Ross and Kevin J. Kuros for legislation relative to handicapped placards, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

Handicapped placards.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2399) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

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 joint petition of Paul K. Frost, Michael O. Moore and others relative to fines and punishment for committing assault or assault and battery on law enforcement officers while in the performance of their duties. Under suspension of the rules, on motion of Mr. Fernandes of Milford, the report was considered forthwith. Joint

Police officers,— assaults.

Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

Chesterfield,—
land.

Report of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3521) of Stephen Kulik that the Commissioner of the Department of Conservation and Recreation be authorized to convey a certain parcel of land in the town of Chesterfield. Under suspension of the rules, on a motion of Mr. Kocot of Northampton, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

The Speaker being in the Chair,—

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:

Pediatric care.
Hingham,—
administrator.

Relative to pediatric plans of care (House, No. 923); and
Relative to the town administrator of the town of Hingham (House, No. 4316) [Local Approval Received];
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.

Patient
medication
adherence.

By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the Bill relative to patient medication adherence (House, No. 791), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Surety
bond
payments.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill creating the state guarantee fund for default on public construction surety bond payments (House, No. 3889). Read; and referred, under Rule 33, to the committee on Ways and Means.

Littleton,—
liquor
license.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4374, a Bill authorizing the town of Littleton to grant an additional license for the sale of all alcoholic beverages not to be drunk on premises (House, No. 4553) [Local Approval Received].

Carlisle,—
recall.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill relative to the recall of elected officials in the town of Carlisle (House, No. 4345) [Local Approval Received].

Michelle
Kannler,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Michelle Kannler, an employee of the Department of Public Health (House, No. 4437).

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

Recess.

Mr. Donato of Medford being in the Chair, —

At four minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough, the House recessed until twelve o'clock noon; and at twenty-nine minutes before one o'clock P.M. the House was called to order with the Speaker in the Chair.

Recess.

Silent Tribute.

At the request of the Speaker and all members of the House, the members, guests and employees stood for a moment of silent tribute in respect to the memory of the victims of the terrorist attacks in Istanbul, Turkey and Mogadishu, Somalia.

Turkey and
Somalia,—
terror
attacks.

Quorum Roll Call.

Mr. Wong of Saugus thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 144 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 289.

[See Yea and Nay No. 289 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. Ayers of Quincy was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business outside of the State House.

Statement of
Mr. Ayers
of Quincy.

Subsequently a statement of Ms. Campbell of Methuen was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of
Ms. Campbell
of Methuen.

Subsequently a statement of Ms. Fox of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of
Ms. Fox
of Boston.

Subsequently a statement of Ms. Provost of Somerville was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of
Ms. Provost
of Somerville.

*Motion to Discharge Certain Matters
in the Orders of the Day.*

A report, in part, of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof

General
Appropriation
Bill.

General Appropriation Bill.

the text contained in Senate document numbered 2305) of the House Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4201), recommending passage of a bill with the same title (House, No. 4450), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Conference committee report accepted,—yea and nay No. 290.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 150 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 290 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Mr. Donato of Medford being in the Chair,—

Nickerson State Park,—land.

A report, in part, of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2305) of the House Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4201), recommending passage of a Bill relative to Nickerson State Park (House, No. 4451), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill; and it was accepted. The report then was sent to the Senate for concurrence.

Orders of the Day.

Third reading bills.

Protecting motorists and emergency personnel (House, No. 3033); Restoring accountability in claims against certain non-governmental actions for damage caused by public way defects (House, No. 3539) (its title having been changed by the committee on Bills on the Third Reading);

Relative to certain parcels of land in the town of Wakefield (House, No. 3629) (its title having been changed by the committee on Bills in the Third Reading); and

Providing for a study relative to the necessity of certain snow safety procedures (House, No. 3833) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Second reading bills and resolve.

The Senate Bill establishing a sick leave bank for Jodi Paris Anastos, an employee of the Operational Services Division (Senate, No. 2312);

House bills

Relative to the protection of persons with disabilities (House, No. 1549);

Relative to prescription eye drops (House, No. 4195);

Relative to a certain road in the city of Boston (House, No. 4268);

Establishing a sick leave bank for Robin Waine, an employee of the Department of Transportation (House, No. 4325);

Relative to the Hampshire Regional Council of Governments (House, No. 4328);

Exempting certain positions in the city of Marlborough from the civil service law (House, No. 4337);

Relative to the disability retirement of Jared MacDonald, a police officer in the town of Bourne (House, No. 4359); and

Authorizing the town of Westborough to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4418); and

The House Resolve creating a special commission to study the effects of coastal and ocean acidification and its existing and potential effects on species that are commercially harvested and grown along the Massachusetts coast (House, No. 716);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to Medicaid (House, No. 822), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Medicaid.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith certain changes in insurance law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 822, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to parent-child privilege (House, No. 1245), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Parent-child privilege.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 9 by striking out the words “, foster parent.”

The amendment was adopted; and the bill (House, No. 1245, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill creating a special commission studying cutting, welding and hot work processes regulated by the State Fire Code (House, No. 2111), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

State Fire Code,—welding, etc.

State Fire
Code,—
welding, etc.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4455), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Chelsea.

The House Bill relative to the charter of the city of Chelsea (House, No. 3569), reported by the committee on Bills in the Third Reading 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 6, in line 124, by striking out the following: "section 10" and inserting in place thereof the following: "sections 10-1 to 10-6, inclusive".

The amendment was adopted; and the bill (House, No. 3569, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

Recess.

At twenty-four minutes after two o'clock P.M., 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 two minutes after six o'clock the House was called to order with Mr. Donato in the Chair.

Emergency Measures.

Patricia
Barry,—
sick leave.

The engrossed Bill establishing a sick leave bank for Patricia Barry, an employee of the Department of Public Health (see House, No. 4266, amended), 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 40 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.

Rick
Freni,—
sick leave.

The engrossed Bill establishing a sick leave bank for Rick Freni, an employee of the Massachusetts Department of Transportation (see House, No. 4267), 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 44 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.

The engrossed Bill establishing a sick leave bank for Jean Barron, an employee of the Executive Office of Public Safety and Security (see House, No. 4301, amended), 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.

Jean
Barron,—
sick leave.

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 44 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

The engrossed Bill making appropriations for the fiscal year 2016 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4450), 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.

General
Appropriation
Bill.

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 4 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

Order.

On motion of Mr. Deleo of Winthrop,—

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

Next
sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at thirteen minutes after six o'clock P.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.