

JOURNAL OF THE HOUSE.

Thursday, September 29, 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.

Message from the Governor.

The noon recess having terminated, a message from His Excellency the Governor recommending legislation relative to permitting the town of Hull to hold a special election on November 8, 2016 (House, No. 4663), was filed in the office of the Clerk on Wednesday, September 28.

The message was read; and it was referred, on motion of Mr. Galvin of Canton, with the accompanying draft of a bill, to the House committee on Rules.

Subsequently the same member, for said committee, reported on the foregoing message, a Bill relative to permitting the town of Hull to hold a special election on November 8, 2016 (printed in House, No. 4663). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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 the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Galvin, the bill (having been 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.

Resolutions.

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

Resolutions (filed by Mr. Honan of Boston) congratulating John F. "Jack" Snedeker on the joyous and wonderful occasion of his eightieth birthday and his retirement from public service;

Resolutions (filed by Representatives Peisch of Wellesley and Arciero of Westford) congratulating Roger Hatch on his retirement; and

Resolutions (filed by Mr. Rogers of Norwood) congratulating Charles Patrick Zambito on receiving the Eagle Award of the Boy Scouts of America;

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 Ms. DuBois of Brockton, the

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

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 petition of Paul F. Tucker and others relative to the taxation of certain alcoholic beverages. 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 Revenue.

Alcoholic beverages,—taxation.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on House, No. 4097, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning automatic voter registration (House, No. 4647).

Voter registration,—study.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 624, 679 and 727, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning hazardous waste issues (House, No. 4648) [Senator Eldridge dissenting].

Environment, Natural Resources and Agriculture,—study.

By the same member, for the same committee, on House, Nos. 626, 669, 699 and 700, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning fisheries issues (House, No. 4649).

Id.

By the same member, for the same committee, on House, Nos. 629, 647, 651, 666, 673, 682, 683, 687, 722, 730 and 774, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning environment issues (House, No. 4650).

Id.

By the same member, for the same committee, on House, Nos. 642, 648, 681 and 3554, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning toxic management issues (House, No. 4651).

Id.

By the same member, for the same committee, on House, Nos. 649, 733, 736, 744 and 758, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning miscellaneous issues (House, No. 4652).

Id.

By the same member, for the same committee, on House, Nos. 650, 729 and 3235, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning recreation and land issues (House, No. 4653).

Id.

By the same member, for the same committee, on House, Nos. 660, 661, 662 and 715, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning land policy issues (House, No. 4654).

Id.

Pledge of allegiance.

Hull,—election.

John Snedeker.

Roger Hatch.

Charles Zambito.

Environment, Natural Resources and Agriculture,— study. By the same member, for the same committee, on House, Nos. 664, 680, 690 and 694, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning sewer issues (House, No. 4655).

Id. By the same member, for the same committee, on House, Nos. 738, 741, 743 and 3990, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning air quality issues (House, No. 4656).

Id. By the same member, for the same committee, on House, Nos. 761 and 3419, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning agriculture issues (House, No. 4657).

Id. By the same member, for the same committee, on House, No. 3241, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning animals (House, No. 4658).

Mental Health and Substance Abuse,— study. By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on House, No. 4062, an Order relative to authorizing the committee on Mental Health and Substance Abuse to make an investigation and study of a certain House document concerning behavioral health issues (House, No. 4662).

Public Health,— study. By Ms. Hogan of Stow, for the committee on Public Health, on House, No. 4099, an Order relative to authorizing the committee on Public Health to make an investigation and study of a certain House document concerning public health issues (House, No. 4660).

Revenue,— study. By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4073, an Order authorizing the committee on Revenue to make an investigation and study of a certain House document concerning revenue (House, No. 4661) [Representative Dwyer of Woburn dissenting].

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

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

Senate bills

Authorizing the town of Warren to continue the employment of Dennis Desrosiers (Senate, No. 2319) [Local Approval Received];

Relative to the membership of the conservation commission of the town of Sturbridge (Senate, No. 2355) [Local Approval Received]; and

Designating a certain bridge in the city of Fall River as the Tom Tetrault Bridge (Senate, No. 2480); and

Dennis Desrosiers.

Sturbridge,— conservation.

Tetrault bridge.

House bills  
Relative to confirming title to the property at 46 Alden Street, Provincetown,— land title.

Relative to the special police officer in the city known as the town of Weymouth (House, No. 4527) [Local Approval Received];

Authorizing the town of Whately to continue the employment of firefighter Peter Hannum (House, No. 4587) [Local Approval Received];

Designating a certain bridge in the city of Boston as the Lance Corporal Alexander Arredondo and Brian Arredondo memorial bridge (House, No. 4588);

Relative to the Deerfield Economic Development Industrial Corporation (House, No. 4596) [Local Approval Received];

Establishing a sick leave bank for Robert Clark, an employee of the Department of Mental Health (House, No. 4641); and

Establishing a sick leave bank for Rhodaja Shubrick, an employee of the Department of Transitional Assistance (House, No. 4642);

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

Provincetown,— land title.

Weymouth,— police.

Whately,— Peter Hannum.

Arredondo bridge.

Deerfield.

Robert Clark,— sick leave.

Rhodaja Shubrick,— sick leave.

*Engrossed Bills.*

Engrossed bills  
Establishing the Hampden County Commission on the Status of Women and Girls (see Senate, No. 1080);

Regulating notaries public to protect consumers and the validity and effectiveness of recorded instruments (see Senate, No. 2064, amended);

Creating a department of municipal finance in the town of Carver under the direction of a finance director (see Senate, No. 2460);

(Which severally originated in the Senate); and

Authorizing the town of Foxborough to grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4238, amended) (which 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.

Bills enacted.

*Orders of the Day.*

Senate bills  
Relative to certain charges and fees in the town of Charlton (Senate, No. 2068); and

Authorizing the town of Wenham to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (Senate, No. 2291, amended);

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, in concurrence.

Third reading bills.

House bills  
Relative to the assessment of local property taxes in the town of Westwood (House, No. 4573); and

Id.

Third reading bill.

Relative to a municipal employee in the town of Lee, the town of Lenox, or the town of Stockbridge acting in relation to an intermunicipal agreement (House, No. 4598);

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. Sent to the Senate for concurrence.

Sexual assault,—"rape kits".

The Senate amendments of the House Bill relative to preservation of evidence for victims of rape and sexual assault (House, No. 4364), reported by the committee on Bills in the Third Reading to be correctly drawn, were considered.

Mr. Speliotis of Danvers then moved that the House concur with the Senate in its amendments (in section 1, after line 7, by inserting the following paragraph:

"A governmental entity that is unable to meet the requirements of the preceding paragraph may request a waiver from the forensic sciences advisory board. Waivers shall be granted to: (i) a governmental entity that lacks the capacity to ensure proper retention or preservation of evidence; and (ii) a local law enforcement agency that consists primarily of intermittent or reserve officers. The waiver shall provide for the retention and preservation of forensic evidence of the requesting governmental entity by the crime laboratory.", in line 8, by inserting after the word "entity" the words " , including a local law enforcement agency, a district attorney's office or any other official body of the commonwealth or of a county, city or town."; and by adding the following two sections:

"SECTION 2. The director of the crime laboratory within the department of state police shall report on the feasibility of and the requirements for establishing a single location or multiple regional locations for the retention and preservation of all forensic evidence collected in the commonwealth. The report and any recommendations shall be filed with the clerks of the senate and the house of representatives, the chairs of the joint committee on the judiciary and the chairs of the house and the senate committees on ways and means not later than January 1, 2018.

SECTION 3. This act shall apply to all forensic evidence collected and retained for its potential evidentiary value in the investigation of a rape or sexual assault, including any such forensic evidence collected and retained before the effective date of this act.") with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4659. The further amendment was adopted.

The House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

*Recess.*

Recess.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-eight minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

*Reports of Committees.*

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4517, reported, in part, a Bill making appropriations for the fiscal year 2016 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4664) [Total appropriation: \$23,623,226.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

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

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

Subsequently under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been 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.

Subsequently, the second noon recess having terminated, the Bill making appropriations for fiscal year 2016 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4664) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, with amendments striking out sections 7, 8 and 43; and inserting after section 21 the following section:

"SECTION 21A. Item 8315-1020 of said section 2 of said chapter 46 is hereby amended by striking out the figure '\$10,778,878' and inserting in place thereof, in each instance, the following figure:—\$11,274,245."

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendments were correctly drawn; and they were adopted, in concurrence.

*Recess.*

At one minute before one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at eight minutes before four o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

*Emergency Measures.*

The engrossed Bill establishing a sick leave bank for Timothy McCarthy, an employee of the Division of Capital Asset Management and Maintenance (see House bill printed in House, No. 4597), 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.

Timothy McCarthy,—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 2 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.

Recess.

At four minutes before four o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-four minutes after four o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Supplemental appropriations.

The engrossed Bill making appropriations for fiscal year 2016 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4664, 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 2 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.

*Order.*

Next sitting.

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

At twenty-seven minutes before five o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.