

JOURNAL OF THE HOUSE.

Wednesday, November 4, 2015.

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).

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.

Silent Prayers.

At the request of Speaker DeLeo of Winthrop and Minority Leader Jones of North Reading, the members, guests and employees stood for a moment of silent prayer in respect to the memory of the Reverend Robert F. Quinn of Boston, Chaplain of the House of Representatives from 1983 to 2014, who passed away on Saturday October 31, after a long illness. Reverend Robert F. Quinn,—
House
Chaplain.

At the request of Mr. Fennell of Lynn, the members, guests and employees stood in a moment of silent prayer in respect to the memory of Joseph Fennell, who died unexpectedly last Friday, October 30th. Joseph Fennell.

Joe was a 35 year veteran of the Chatham Police Department. He began his career as a patrolman, and worked with the youth as a Dare Officer in the Chatham Public Schools. He later became a domestic affairs officer before his retirement in 2009, at the rank of Sergeant.

Joe leaves behind his wife Lilly, his daughter Katie and son Billy, along with two granddaughters. He also was the brother of Inez Accursio and Representative Robert F. Fennell of Lynn.

Special Recognition and Silent Prayer.

During the session, the Speaker declared a brief recess to recognize the contributions of all veterans and provide special recognition to the current members of the House who serve in the Armed Forces of the United States, including the Honorable Harold P. Naughton, Jr., of Clinton, who is currently deployed overseas. The Speaker reminded the membership that Massachusetts is tied for the state with the most active duty military personnel serving as legislators. Harold P. Naughton, Jr.,
John Joseph Deedy
and all
veterans.

The Speaker then acknowledged the heroism of former Representative John J. Deedy, who would have been 100 years old this year. Elected Representative to the Massachusetts Legislature from the 21st Worcester District in 1941, while holding that office and serving as a Lieutenant of the Infantry in the Army of the United States, he was wounded in the Battle of St. Lô and made the Supreme Sacrifice on foreign soil, July 28, 1944.

At the request of the Speaker, the members, guests and employees then stood in a moment of silent prayer to the memory of Representative Deedy and all of the many veterans who have paid the Supreme Sacrifice in order to preserve our freedom.

Message from the Governor — Disapprovals and Amendments of Supplemental Appropriations Bill.

Supplemental Appropriations Bill,— disapprovals and amendments.

A message from His Excellency the Governor returning with his disapproval of a certain item and certain sections and also with recommendation of amendment of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 3829] (for message, see House, No. 3838), filed in the office of the Clerk on Monday, November 2.

The message was read; and, so much as relates to the disapprovals, was referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to the recommended amendments to sections 10, 63 and 77, which severally had been return, under the provisions of Article LVI of the Amendments to the Constitution, were thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on consideration of the amendments recommended by the Governor, they severally were referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Subsequently, the noon recess having terminated, the same member, for the same committee, reported, as follows:

Underground storage tanks and systems.

On so much of the message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to reimbursement of certain costs regarding underground storage tanks and systems (see House, No. 3835), being section 10 contained in the engrossed Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 3829], that the amendment recommended by His Excellency the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Subsection (a) of section 5 of chapter 21J of the General Laws, as so appearing, is hereby amended by striking out clause (a) and inserting in place thereof the following clause:—

(a) For each tank eligible for reimbursement pursuant to this chapter, reimbursement for all costs, expenses, claims and other obligations eligible for reimbursement pursuant to this chapter shall not exceed, in the aggregate, \$2,500,000 as follows: (i) \$1,500,000 for reimbursement under subclause (1) of clause (a) of section 4; and (ii) \$1,000,000 for expenses under subclause (2) of said clause (a) of said section 4, less the applicable deductible specified in subsection (b) of this section.

SECTION 2. This act shall take effect as of November 2, 2015.”; and the report was accepted.

Pending the question on adoption of the amendment recommended by the Governor (as approved by the committee), Mr. Dempsey of Haverhill moved to amend it by striking out section 2 and inserting in place thereof the following three sections:

“SECTION 2. Item 8324-0000 of said section 2 of chapter 165 of the acts of 2014, as amended by section 29 of chapter 119 of the acts of 2015, is hereby further amended by striking out the words ‘provided

further, that amounts allocated to fire department training academies shall not revert and shall be made available until June 30, 2016.’ and inserting in place thereof the following words:— provided further, that amounts allocated to said fire department training academy shall not revert and shall be made available until June 30, 2016.

SECTION 3. Section 1 of chapter 119 of the acts of 2015 is hereby amended by striking out the words ‘June 30, 2010’ and inserting in place thereof the following words:— June 30, 2016.

SECTION 4. This act shall take effect as of November 2, 2015.’.

The further amendment was adopted.

The amendment, as amended, then also was adopted.

The bill (see House, No. 3835, amended) then was sent to the Senate for its action.

Subsequently Miss Gregoire of Marlborough asked unanimous consent to make a statement; and there being no objection, she addressed the House.

Statement of
Miss Gregoire.

On so much of the message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the safety and well-being of children in the custody of the department of children and families (see House, No. 3836), being section 63 contained in the engrossed Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 3829] (for message, see House, No. 3838), that the amendment recommended by His Excellency the Governor be considered in the following form:

Child
safety.

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. On or before February 29, 2016, the department of children and families shall report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities on any new or updated policies, procedures and guidelines put into place at the department over the last year in order to provide systemic improvements that shall ensure the safety and well-being of children in the custody of the department and in-home placements and shall provide an update on the progress made in each area. The report shall include any performance benchmarks used to assess new or updated policies as well as any procedures the department will take to improve its evaluation of children suspected of abuse or neglect.

SECTION 2. This act shall take effect as of November 2, 2015.’; and the report was accepted.

Pending the question on adoption of the amendment recommended by the Governor (as approved by the committee), Mr. Dempsey of Haverhill moved to amend it by striking out the text contained therein and inserting in place thereof the following:

“SECTION 1. Item 1599-1100 as inserted by section 2A of chapter 119 of the acts of 2015, is hereby amended by striking the following date, ‘November 15, 2015’ and inserting in place thereof, the following:— January 4, 2016.

SECTION 2. On or before January 4, 2016, the department of children and families shall report to the house and senate committees on

Child safety.

ways and means and the joint committee on children, families and persons with disabilities on any new or updated policies, procedures and guidelines put into place at the department over the last year in order to provide systemic improvements that shall ensure the safety and well-being of children in the custody of the department and in-home placements and shall provide an update on the progress made in each area. The report shall include any performance benchmarks used to assess new or updated policies as well as any procedures the department will take to improve its evaluation of children suspected of abuse or neglect.

SECTION 3. This act shall take effect as of November 2, 2015.’’.

The further amendment was adopted, thus precluding a vote on the pending amendment. The bill (see House, No. 3836, amended) then was sent to the Senate for its action.

Affordable care act,—waivers.

On so much of the message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to applications for waivers of the patient protection and affordable care act (see House, No. 3837), being section 77 contained in the engrossed Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 3829] (for message, see House, No. 3838), that the amendment recommended by His Excellency the Governor be considered in following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 77 of chapter 119 of the Acts of 2015 is hereby amended by striking out the figure ‘90’ and inserting in place thereof the following figure:— 30.

SECTION 2. This act shall take effect as of November 2, 2015.’’; and the report was accepted. Mrs. Haddad of Somerset being in the Chair,— the amendment was adopted.

The bill (see House, No. 3837, amended) then was sent to the Senate for its action.

Statement Concerning Representative Devers of Lawrence.

A statement of Mr. Rushing of Boston concerning Mr. Devers of Lawrence was spread upon the records of the House, as follows:

Statement concerning Mr. Devers of Lawrence.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Devers of Lawrence, is unable to be present in the House Chamber for today’s sitting due to family obligations. His missing of roll calls today is due entirely to the reason stated.

Guest of the House.

Tom Lyons.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and turned the gavel over to Representative Collins of Boston who introduced Tom Lyons of South Boston. After brief remarks, Representative Collins read and presented resolutions of the House (adopted at a preceding sitting) congratulating Mr. Lyons on his many veteran related accomplishments. Mr. Collins then introduced Mr. Lyons, who addressed the House briefly. He was the guest of Messrs. Collins and Honan of Boston.

Communications.

Communications

From the Brockton Area Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting financial statements and supplementary data for the fiscal year 2015; Brockton transit.

From the Office of the Comptroller (see Section 12(a) of Chapter 7A of the General Laws) submitting the Statutory Basis Financial Report for the fiscal year 2015; Statutory Basis Report.

From the Department of Public Health (see item 4510-0616 contained in Section 2 of Chapter 46 of the Acts of 2015) relative to a data brief from the Prescription Drug Monitoring Program; and Drug monitoring program.

From the Martha's Vineyard Regional Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting financial statements and supplementary data for the fiscal year 2015; Martha's Vineyard transit.

Severally were placed on file.

Reports.

Annual reports

Of the Department of Telecommunications and Cable (under Section 6 of Chapter 25C of the General Laws) for the fiscal year 2015; and Telecommunications, etc.

Of the Department of Youth Services (under Section 16 of Chapter 123A of the General Laws) on sexually dangerous persons in the custody of the department [copies of the report were forwarded to the House committee on Ways and Means and the joint committee on the Judiciary]; and Youth Services.

A report of the Massachusetts District Attorney's Association (under item 0340-2117 contained in Section 2 of Chapter 46 of the Acts of 2015) on the District Attorneys' allocation plan for the ADA Retention Fund for the fiscal year 2016; District Attorney's Association.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Calter of Kingston, a petition (subject to Joint Rule 12) of Thomas J. Calter and others for legislation to reward whistleblowers who contribute to the prosecution of individuals and businesses operating in the "underground economy". Whistleblowers,—underground economy.

By Ms. DiZoglio of Methuen (by request), a petition (subject to Joint Rule 12) of Michael Rossi for an investigation by a special commission (including members of the General Court) relative to enhancing recycling machines at Massachusetts Bay Transportation Authority facilities. MBTA,—recycling machines.

By Mr. Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia and others for legislation to authorize a local option medical marijuana excise tax. Medical marijuana,—local tax.

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

Papers from the Senate.

The House Bill authorizing the town of Stoughton to grant 6 licenses for the sale of all alcoholic beverages to be drunk on the premises Stoughton,—liquor licenses.

Stoughton,—
liquor
licenses.

(House, No. 3695), 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 2039. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Dalton,—
liquor
license.

A Bill authorizing the town of Dalton to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 1927, amended in section 1, in line 8, by inserting after the word "revenue" the words "and a letter from the department of unemployment assistance", in line 9, by striking out the words "the department" and inserting in place thereof the words "those departments"; and in said line by inserting after the word "taxes" the words ", fees and contributions") (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.

Matter Discharged from the Orders of the Day.

Mr. Donato of Medford being in the Chair,—

Commemorative
flag
holders.

The House Bill relative to the removal of veterans, police and fire, commemorative flag holders (House, No. 3173), was discharged from its position in the Orders of the Day and read a second time, under suspension of the Rule 47, on motion of Mr. Parisella of Beverly; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act relative to the removal of veterans, police and fire commemorative flag holders."

Pending the question on passing the bill to be engrossed, Mr. Parisella of Beverly moved to amend it in line 5 by striking out the words "in both the police and" and inserting in place thereof the words "in a police or"; and the amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 170.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 170 in Supplement.]

Therefore the bill (House, No. 3173, amended) then was passed to be engrossed. Sent to the Senate for concurrence.

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:

Grandparents,—
visitations.

Petition (accompanied by bill) of Laura Simonds relative to the visitation rights of grandparents. To the committee on the Judiciary.

Jamie
Johnson,—
sick leave.

Joint petition (accompanied by bill) of Daniel M. Donahue and Michael O. Moore for legislation to establish a sick leave bank for Jamie Johnson, an employee of the Department of Mental Health. To the committee on Public Service.

Joint petition (accompanied by bill) of David K. Muradian, Jr., Michael O. Moore and Timothy R. Whelan for legislation to authorize the commissioner of the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Grafton. To the committee on State Administration and Regulatory Oversight. Grafton,—
land.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing free park access to Purple Heart recipients (House, No. 3243), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. State parks,—
Purple Heart
recipients.

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 Mr. McMurtry of Dedham, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under further suspension of the rules, on motion of Mr. Parisella of Beverly, the bill (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, Ms. DiZoglio of Methuen moved to amend it by adding the following section:

“SECTION 2. The excise imposed by Section 1 of chapter 60A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the eighth paragraph and inserting in place thereof the following paragraph:— shall not apply to a motor vehicle owned and registered by or leased to a resident who is in active and full-time military service as a member in the armed forces of the United States or the national guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the commonwealth for a period of at least 45 days in the calendar year of the exemption. If the military member is wounded or killed in an armed conflict, he shall not be subject to the foregoing period of service qualification for the calendar year in which he is wounded or killed. This exemption shall apply only to a motor vehicle owned and registered by or leased to a military member in his own name or jointly with a spouse for a non-commercial purpose and a military member may qualify for this exemption for only 1 motor vehicle for each calendar year. A municipality may, in connection with the issuance of warrant to collect unpaid motor vehicle or trailer excise tax from a delinquent taxpayer, add \$3 to the fee prescribed in clause 9 of section 15 of chapter 60.”

Mr. Wagner of Chicopee thereupon raised a point of order that the amendment offered by the lady from Methuen was improperly before the House for the reason that it went beyond the scope of the pending bill. Point of
order.

In answer to the point of order, the Chair (Mr. Donato of Medford) stated that the bill currently before the House provided solely for an exemption for veterans from paying certain state recreational related fees at state parks. The amendment offered by the lady from Methuen would exempt active duty members of the military from payment of motor vehicle excise taxes while they are deployed or stationed outside

State parks,—
Purple Heart
recipients.

the territorial boundaries of the Commonwealth. The Chair stated further that the amendment presented an entirely new topic to the measure before the House, which should be filed as a bill, referred to a committee, before which a public hearing should be held and the matter should be analyzed, voted upon within the committee and reported by the committee. This measure would then have to be reviewed by the House committee on Ways and Means, as to the fiscal ramifications of passing such legislation. Since offering such measures in the form of an amendment from the floor of the House violated the essence of the legislative process, the Chair ruled that the amendment was beyond the scope of the measure before the House; and it was laid aside accordingly.

Bill passed to
be engrossed,—
yea and nay
No. 171.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Vieira of Falmouth; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 171 in Supplement.]

Therefore the bill (House, No. 3243) then was passed to be engrossed. Sent to the Senate for concurrence.

Basic
adult
education.

By Ms. Peisch of Wellesley, for the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3390) of Daniel Cullinane and others for legislation to improve adult basic education access and quality,— and recommending that the same be referred to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Recess.

Recess.

At nine 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 until one o'clock P.M.; and, at seventeen minutes after one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Orders of the Day.

Third
reading
bill.

The House Bill authorizing the town of North Reading to convey certain property (House, No. 3819) (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. Sent to the Senate for concurrence.

Id.

Mrs. Haddad of Somerset being in the Chair,—
The House Bill relative to the Lance Corporal Andrew J. Zabierek Memorial Bridge in the town of Chelmsford (House, No. 2937), 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.

The House Bill designating a certain bridge in the town of Lanesborough as the Sergeant Gregory Aloysius Noonan bridge (House, No. 3335), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Sergeant
Gregory
Aloysius
Noonan
bridge.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 2 and 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 designate forthwith a certain bridge as the Sergeant Gregory Aloysius Noonan Bridge, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 3335, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill designating a certain bridge in the town of Barnstable as the Louis Karras memorial bridge (House, No. 3795) (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.

Louis
Karras
memorial
bridge.

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:

“The bridge on U.S. highway route 6 spanning Phinneys lane/Hyanis road between exits 6 and 7 in the town of Barnstable shall be designated and known as the Louis Karras Memorial Bridge in memory of Louis Karras who was a local hero and a highly decorated veteran of World War II having received the Bronze Star, French Legion of Honor Medal, and Purple Heart. The division of highways of the Massachusetts Department of Transportation shall erect and maintain suitable markers bearing the designation in compliance with the standards of the department.”.

The amendment was adopted; and the bill (House, No. 3795, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Donato of Medford being in the Chair,—

The House Bill relative to veterans’ grave markers (House, No. 1306), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Veterans’
grave
markers.

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:

“Chapter 272 of the General Laws is hereby amended by inserting after section 73A the following section:—

Section 73B. (a) For purposes of this section, ‘commemorative grave marker’ shall mean a grave marker, headstone, monument, structure, medallion or other object designed to commemorate the grave of a veteran, police officer or firefighter.

(b) Whoever sells or attempts to sell a commemorative grave marker which has been stolen and which the person knows or should know to be stolen, shall be punished by a fine of not more than \$5,000

Veterans' grave markers.

for a first offense and for a second or subsequent offense by imprisonment in the state prison for not more than 5 years or by imprisonment in a jail or house of correction for not more than 2 and one-half years and by a fine of not more than \$5,000.

(c) Whoever receives, retains or disposes of a commemorative grave marker that the person knows or should know to be stolen, shall be punished by a fine of not more than \$5,000; provided, however, that no such penalty shall be imposed upon: (i) a person who receives or retains such commemorative grave marker with the intent to return it to a cemetery, a member of law enforcement, a member of a fire department, a member of the department of veterans' services, a non-profit veterans' services group or a veterans' agent of a town; or (ii) a person who in fact disposes of such commemorative grave marker by returning it to a cemetery, a member of law enforcement, a member of a fire department, a member of the department of veterans' services, a non-profit veterans' services group or a veterans' agent of a town.”; and by striking out the title and inserting in place thereof the following title: “An Act relative to grave markers to commemorate the graves of veterans, police officers and firefighters.”.

The amendments were adopted.

Bill passed to be engrossed,—yea and nay No. 172.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Frost of Auburn; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 172 in Supplement.]

Therefore the bill (House, No. 1306, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Gravestone loss or damage,—penalties.

The House Bill providing further penalties for intentional loss or damage to a gravestone or other gravemarker (House, No. 1600), 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. Fernandes of Milford moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“Section 73 of chapter 272 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following sentence:— In addition, the court shall order any person convicted of an offense pursuant to this section to pay restitution to the owner of the property that was damaged, destroyed, mutilated, defaced, injured or removed.”.

The amendment was adopted.

Bill passed to be engrossed,—yea and nay No. 173.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Smola of Warren; and on the roll call 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 173 in Supplement.]

Therefore the bill (House, No. 1600, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mrs. Haddad of Somerset being in the Chair,—

The House Bill relative to the false representation of military status (House, No. 1641) (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, Messrs. Parisella of Beverly and Velis of Westfield moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“Chapter 272 of the General Laws is hereby amended by adding the following section:—

Section 106. (a) A person commits the crime of stolen valor if he or she knowingly, with the intent to obtain money, property or any other tangible benefit:

(i) fraudulently represents himself or herself to be an active member or veteran of the United States Navy, Army, Air Force, Marines, or Coast Guard, including armed forces reserves and National Guard through the unauthorized manufacture, sale, or use of military regalia or gear, including the wearing of military uniforms, or the use of falsified military identification and obtains money, property or another tangible benefit through such fraudulent representation; or

(ii) fraudulently represents himself or herself to be a recipient of the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, Purple Heart, Combat Infantryman Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon or Air Force Combat Action Medal and obtains money, property or another tangible benefit through such fraudulent representation.

(b) Any person who commits the crime of stolen valor shall be punished by imprisonment in a house of correction for not more than 1 year or by a fine of \$1,000, or both such fine and imprisonment.”.

The amendment was adopted.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Velis of Westfield; and on the roll call (the Speaker having taken the Chair) 149 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—
yea and nay
No. 174.

[See Yea and Nay No. 174 in Supplement.]

Therefore the bill (House, No. 1641, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Ms. Harrington of Groton 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 roll call I was absent from the House Chamber on official business in another part of the State House, and was not notified that a roll call was in progress. Had I been present I would have voted in the affirmative.

Statement of
Ms. Harrington
of Groton.

Order.

On motion of Mr. DeLeo of Winthrop (Mrs. Haddad of Somerset having taken the Chair),—

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

Next
sitting.

Speaker DeLeo of Winthrop and Minority Leader Jones of North Reading then moved that as a mark of respect to the memory of the Reverend Robert F. Quinn of Boston, Chaplain of the House of Representatives from 1983 to 2014, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-nine minutes after three o'clock P.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.