

JOURNAL OF THE HOUSE.

Thursday, April 14, 2016.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Silent Prayer.

Boston Marathon bombings.

At the request of the Speaker and all other members of the House, the members, guests and employees rose for a moment of silent tribute to the victims on the occasion of the third anniversary of the Boston Marathon bombings.

Statement of Representative Nangle of Lowell.

Statement of Representative Nangle of Lowell.

A statement of Mr. Nangle of Lowell 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 I was unable to be present in the House Chamber for yesterday's sitting due to being on official business outside the Commonwealth. Had I been present, I would have voted in the affirmative on roll call number 212, on passing to be enacted the municipal roads bond bill; on roll call numbered 217, on adoption of an order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2017 [House, No. 4200] (for order, see House, No. 4199); and in the negative on roll call numbers 213, 214, 215 and 216 (each being on a question on adoption of an amendment offered to the order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2017). My missing of roll calls that day was due entirely to the reason stated.

Guests of the House.

V.F.W. Officers.

During the session, the Chair (Mr. Kafka of Stoughton), declared a brief recess and introduce visiting officers of the Veterans of Foreign Wars, Brian J. Duffy, in-coming National Commander-in-Chief; Brian Martin, in-coming State Commander - Department of Massachusetts; George D. Murray, National Council Member; Bryan F. Gallagher, Plymouth District 12 Commander; and Christine Trone, State Photographer. They were accompanied by former Representative Rhonda Nyman of Hanover, and were the guests of Mr. Cassidy of Brockton.

Resolutions.

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

Resolutions (filed by Ms. DiZoglio of Methuen and other members of the House) recognizing foster children in the Commonwealth;
Resolutions (filed by Mr. Fernandes of Milford) congratulating Cornelia Delcastello on the occasion of her one hundredth birthday;
Resolutions (filed by Ms. Fox of Boston) recognizing Darnell L. Williams as a community pillar and activist; and
Resolutions (filed by Mr. Roy of Franklin) congratulating Louis A. Carlucci on the occasion of his ninety-fifth birthday;
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. Cassidy 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.

Foster children.
Cornelia Delcastello.
Darnell Williams.
Louis Carlucci.

Order.

The following order (filed by Mr. Fernandes of Milford) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Monday, May 2, 2016, within which time to make its final report on a current House document numbered 4098 (House, No. 4218).

The Judiciary committee,—extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Tucker of Salem, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Bills
Further regulating the penalties for tagging (Senate, No. 727) (on a petition);
Relative to the penalty for vandalism (Senate, No. 728) (on a petition);
Relative to adjusting the credit for nonpayment of fines (Senate, No. 795) (on a petition); and
Relative to the use of community corrections for pre-trial detainees and criminal defendants (Senate, No. 2216) (on Senate bill No. 1275)
Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Tagging.
Vandalism.
Fines,—nonpayment.
Community corrections.

Reports of Committees.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 1079, 1081, 1082, 1083, 1084, 1085, 1086, 1090, 1091, 1097, 1102, 1103, 1115, 1116, 1121, 1122, 1124, 1127, 1128, 1131, 1140, 1142, 1143, 1146, 1147 and 3432, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning Chapter 40B issues (House, No. 4208) [Messrs. Diehl of Whitman and DeCoste of Norwell dissenting].
By the same member, for the same committee, on House, Nos. 1092, 1095, 1099, 1100, 1101, 1106, 1120, 1126, 1133, 1134, 1135, 1136, 1137, 1139, 1141, 1144, 1145, 3250, 3429, 3677, 3912 and 4016, an Order relative to authorizing the committee on Housing to make an

Regional planning,—study.
Condominiums or manufactured housing,—study.

Condominiums or manufactured housing,— study. investigation and study of certain House documents concerning Department of Housing and Community Development, condominiums, manufactured housing and miscellaneous issues (House, No. 4209) [Representative Diehl of Whitman dissenting].

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

Subsequently, Mr. Galvin of Canton, for said committees, reported 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 were considered forthwith; and they were accepted.

Municipal finance. By Mr. Murphy of Weymouth, for the committee on Public Service, on House, No. 3907, a Bill to modernize municipal finance and government (House, No. 4207) [Representative DuBois of Brockton dissenting]. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Tax expenditure,— commission. By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill establishing a special commission on the tax expenditure budget (House, No. 2571). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Retirement,— Group 4. By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill relative to defining employees classified in Group 4 (House, No. 2285).

Service employees. By the same member, for the same committee, on a petition, a Bill relative to making provisional official service employees in the Commonwealth permanent employees (House, No. 2304).

Robert lantosca. By the same member, for the same committee, on a petition, a Bill relative to creditable service for Robert lantosca, an employee of the Department of Revenue (House, No. 2346).

VISTA,— benefits. By the same member, for the same committee, on a petition, a Bill relative to credible service for VISTA volunteers (House, No. 2376).

Retirement. By the same member, for the same committee, on a petition, a Bill authorizing certain public employees' creditable retirement service (House, No. 2384).

Workers' compensation. By the same member, for the same committee, on a petition, a Bill relative to ensuring fairness in public employee workers [sic] compensation benefits (House, No. 2385).

Court officers. By the same member, for the same committee, on a petition, a Bill relative to the officers of the court (House, No. 2394).

Fire Services,— retirement. By the same member, for the same committee, on a petition, a Bill relative to employees of the Department of Fire Services (House, No. 2428).

Neighborhood revitalization. By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2640, a Bill relative to small town residential neighborhood revitalization (House, No. 4213).

Open space. By the same member, for the same committee, on House, No. 3508, a Bill relative to the protection of open spaces (House, No. 4215).

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 4063, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey an easement over a certain parcel of land in the town of Dracut (House, No. 4220).

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

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill relative to the Massachusetts state retirement system (House, No. 2415).

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2533, a Bill relative to the curatorship program (House, No. 4210).

By the same member, for the same committee, on House, No. 2541, a Bill providing for a workforce housing financing plan (House, No. 4211) [Senator Fattman dissenting].

By the same member, for the same committee, on House, No. 2543, a Bill relative to industrial zoned small business property tax exemption (House, No. 4212).

By the same member, for the same committee, on House, No. 3199, a Bill providing for limited property tax relief for certain elder citizens in the town of Andover (House, No. 4214) [Local Approval Received].

By the same member, for the same committee, on House, No. 3587, a Bill increasing the exemption for residential property in the town of Provincetown (House, No. 4216) [Local Approval Received].

By the same member, for the same committee, on House, No. 3882, a Bill relative to the Robin Reyes capital stabilization fund in the town of Dedham (House, No. 4217) [Local Approval Received].

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

Orders of the Day.

The House Bill relative to the date of town elections in the town of Southbridge (House, No. 3998), 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 relative to signing of warrants for payment in the town of Tyngsborough (House, No. 3641), 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 by striking all after the enacting clause and inserting in place thereof the following:

"Notwithstanding any provision of section 56 of chapter 41 of the General laws, or any other general or special law to the contrary, the town administrator of the town of Tyngsborough and, in the absence of the town administrator, the assistant town administrator shall be authorized to approve all warrants for payment of town funds, including payroll warrants, prepared and approved by the town accountant in

Dracut,— land.

Dispatchers,— retirement.

Curatorship program.

Workforce housing.

Industrial zoning.

Andover,— property tax.

Provincetown,— property tax.

Dedham,— fund.

Third reading bill.

Tyngsborough,— warrants.

Tyngsborough,—
warrants. accordance with said section 56 of said chapter 41. The approval of all such warrants by the town administrator or, in the absence of the town administrator, the assistant town administrator shall be sufficient to authorize payment by the town treasurer. If both the town administrator and the assistant town administrator are absent, or the office of town administrator is vacant, the board of selectmen shall approve all such warrants in accordance with said section 56 of said chapter 41.”

The amendment was adopted; and the bill (House, No. 3641, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Paul
Sinkiewicz,—
sick leave. The House Bill establishing a sick leave bank for Paul Sinkiewicz, an employee of the Department of Youth Services (House, No. 4035), 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 1, in line 2, by striking out the words “public health” and inserting in place thereof the words “youth services”; 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 establish forthwith a sick leave bank for a certain employee of the department of youth services, 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. 4035, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

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