

JOURNAL OF THE HOUSE.

Wednesday, May 18, 2016.

Met according to adjournment at a half past twelve o'clock noon, 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).

Silent Prayer.

At the request of the Speaker and Representatives Vincent of Revere and Ryan of Boston, the members, guests and employees rose for a moment of silent tribute to honor the life of Officer John P. Bruttaniti of the Chelsea Police Department and mostly recently a resident of Lynn. Officer Bruttaniti passed away last Thursday May 12th in a tragic motorcycle accident at the age of 41 years. He was the loving son of Karen Bruttaniti of East Boston, Johnny Perkins of Alabama and devoted boyfriend to Kim Segal of Chelsea. Dear brother of Karen Bruttaniti-Campbell of Dorchester, Nicole Correa of Florida and Ernest (Cucho) Acevedo of Wilmington.

John P.
Bruttaniti.

John P. Bruttaniti's life of public service began in the US Army Reserves. He was deployed to Iraq in 2003 and 2004. Upon his return, he entered the Massachusetts Firefighting Academy and joined the Chelsea Fire Department in 2005. In 2008, John joined the Chelsea Police Department. He recently received the Chelsea Police Department's Life Saving Award for saving a young child from choking.

John has been described as "the true definition of a dedicated public servant" and a "true gentleman who was deeply respected by everyone around him".

Special Communication.

The Speaker being in the Chair,—

The following communication, together with returns of votes and schedules therein referred to, was received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE SECRETARY
STATE HOUSE, BOSTON 02133

May 18, 2016.

To the Honorable House of Representatives:

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the tenth day of May, 2016, for Representative in the General Court, 10th Essex District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

Returns of
votes for
Representative
in the
Tenth Essex
District.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

The communication was read; and, there being no objection, it was placed on file.

Order.

On motion of Mr. McMurtry of Dedham,—

Lieutenant-Governor notified.

Ordered, That a special committee be appointed to wait upon Her Honor the Lieutenant-Governor, Acting Governor and inform her that Representative-Elect Daniel F. Cahill of the Tenth Essex District is in attendance in the Chamber of the House of Representatives and ready to take the oaths and affirmations of qualification.

The Speaker then appointed Representatives Crighton of Lynn, Ehrlich of Marblehead, Wong of Saugus, Walsh of Peabody, Parisella of Beverly, McMurtry of Dedham, Hill of Ipswich, Vincent of Revere, Carvalho of Boston and Speliotis of Danvers as the special committee of the House.

Subsequently Mr. Crighton of Lynn, for the committee, reported that they had attended to the duties assigned to them, and that the acting Governor had stated that she would attend forthwith and administer the oath of office.

Member Qualified.

Representative Daniel F. Cahill,— qualifications.

Soon afterward Her Honor the Lieutenant-Governor, acting Governor came in; the oath and affirmation, having been administered earlier this day in the Executive Council as required by the Constitution and laws, were again administered by the acting Governor to the member then present.

Her Honor the acting Governor then departed the Chamber under escort of the Sergeant-at-Arms.

After brief remarks by Representative Cahill, the Speaker assigned him to Seat No. 76.

Statement Concerning Representative Bradley of Hingham.

A statement of Mr. Mariano of Quincy concerning Mr. Bradley of Hingham was spread upon the records of the House, as follows:

Statement concerning Mr. Bradley of Hingham.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Bradley of Hingham, is unable to be present in the House Chamber for today's sitting and also for the Joint Session due to his being outside the country. His missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Dwyer of Woburn.

A statement of Mr. Mariano of Quincy concerning Mr. Dwyer of Woburn was spread upon the records of the House, as follows:

Statement concerning Mr. Dwyer of Woburn.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Dwyer of Woburn, is unable to be present in the House Chamber for today's sitting and also

for the Joint Session due to a family situation. His missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Tucker of Salem.

A statement of Mrs. Haddad of Somerset concerning Mr. Tucker of Salem 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 one of our colleagues, Representative Tucker of Salem, is unable to be present in the House Chamber for today's sitting and also for the Joint Session due to his attendance on official business at the Early Learning Fellows Program through the National Conference of State Legislatures in Omaha, Nebraska. His missing of roll calls today is due entirely to the reason stated.

Statement concerning Mr. Tucker of Salem.

Statement of Representative Wagner of Chicopee.

A statement of Mr. Wagner of Chicopee 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 for the session of Wednesday, May 11, 2016 because of the death of a close friend. Had I been present, I would have voted in the affirmative on roll call numbers 245, 246, 247 and 248. My missing of roll calls that day was due entirely to the reason stated.

Statement of Mr. Wagner of Chicopee.

Guests of the House.

During the ceremony for the qualification of Representative Daniel F. Cahill of Lynn, the Speaker introduced Senator Thomas M. McGee and former Representatives Robert F. Fennell and Steven M. Walsh, who were attending the session to witness the swearing-in of Mr. Cahill.

Senator McGee, Robert Fennell and Steven Walsh.

Communication.

A communication from the Bristol County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure of technological improvements from the County Registers Technological Fund [copies of said report forwarded to the committee on Ways and Means and committee on Post Audit and Oversight], was placed on file.

Bristol County Registry of Deeds,—technology funds.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4315) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the town of Nantucket be authorized to change certain housing provisions of the Nantucket Land Bank Act. To the committee on Housing.

Nantucket,—land bank.

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 4316) of Garrett J. Bradley (by vote of the town) that the board of selectmen of the town of Hingham be authorized appoint a town administrator;

Hingham,—administrator.

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4317) of Timothy R. Madden

Nantucket,—real estate transfer.

and Daniel A. Wolf (by vote of the town) that the town of Nantucket be authorized to impose a real estate transfer fee; and

Nantucket,—
warrants.

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4318) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) relative to the publication of notices of issuance of warrants in the town of Nantucket;

Severally to the committee on Municipalities and Regional Government.

Nantucket,—
retired
police.

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4319) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the town of Nantucket be authorized to appoint retired police officers of said town to serve as special police officers. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Controlled
substances,—
classification.

Messrs. Whelan of Brewster and Tucker of Salem presented a petition (subject to Joint Rule 12) of Timothy R. Whelan, Brian M. Ashe and others relative to the classification of certain controlled substances; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Nantucket
Islands
Land Bank,—
conservation
land.

The House Bill authorizing the Nantucket Islands Land Bank to convey certain parcels of land held for open space, recreational or conservation purposes to the town of Nantucket for open spaces, recreational or conservation purposes (House, No. 3892) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following two sections:

“SECTION 2. Notwithstanding any general or special law to the contrary, as a condition of the conveyances authorized in section 1, the town of Nantucket shall convey or otherwise transfer certain parcels of land situated in the town of Nantucket and described below to the Nantucket Islands Land Bank for open space, recreational or conservation purposes:

- (i) assessors' map 39, parcel 8;
- (ii) assessors' map 32, parcel 23;
- (iii) assessors' map 33, parcel 10;
- (iv) assessors' map 59, parcel 28;
- (v) assessors' map 41, parcel 29; and
- (vi) assessors' map 74, parcel 52.

SECTION 3. This act shall take effect upon its passage.”

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Nantucket,—
land.

Authorizing the town of Nantucket to convey certain land held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank and Madaket Construction Trust for open space, recreational or conservation purposes (Senate, No. 1935) (on a petition) [Local Approval Received]; and

Authorizing the County of Nantucket to convey certain parcels of land to the town of Nantucket (Senate, No. 1936) (on a petition) [Local Approval Received];

Nantucket,—
land.

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.

*Joint Session of the Two Houses to Consider
Specific Amendments to the Constitution.*

At seven minutes past one o'clock P.M., the two Houses met in

Joint Session
of the two
branches.

JOINT SESSION

and were called to order by the Honorable Stanley C. Rosenberg, President of the Senate

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Pledge of
allegiance.

Distinguished Guest.

There being no objection, during consideration of the Orders of the Day, the President recognized Marianna McCallum of Walpole. Ms. McCallum is the current Miss Massachusetts Princess. She was the guest of Representative Rogers of Norwood and Senator Timilty.

Miss
Massachusetts
Princess.

The Proposal for an Initiative Amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (see House, No. 3933) (introduced into the General Court by the initiative petition of Marven-Rhode Hyppolite and others) was read, the question being on agreeing to the amendment.

Constitution,—
millionaire's
tax.

The Proposal was as follows:—

ARTICLE OF AMENDMENT.

Amendment Article XLIV of the Massachusetts Constitution is hereby amended by adding the following paragraph at the end thereof:

To provide the resources for quality public education and affordable public colleges and universities, and for the repair and maintenance of roads, bridges and public transportation, all revenues received in accordance with this paragraph shall be expended, subject to appropriation, only for these purposes. In addition to the taxes on income otherwise authorized under this Article, there shall be an additional tax of 4 percent on that portion of annual taxable income in excess of \$1,000,000 (one million dollars) reported on any return related to those taxes. To ensure that this additional tax continues to apply only to the commonwealth's highest income residents, this \$1,000,000 (one million dollar) income level shall be adjusted annually to reflect any increases in the cost of living by the same method used for federal income tax brackets. This paragraph shall apply to all tax years beginning on or after January 1, 2019.

Pending the question on agreeing to the amendment, Senator Tarr and Representative Jones of North Reading moved that the initiative be

Constitution,—
millionaire's
tax.

amended by striking the text in its entirety and inserting in place thereof the following:—

“The constitution is hereby amended by inserting at the end thereof the following new article:— In the furtherance of the foregoing powers, the general court shall have the power to appropriate funds held, in the stabilization fund, so-called, as provided for by section 2H of chapter 29, and shall expend those funds in said manner provided that said funds shall be expended in laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the General Court.”

Pending the question on adoption of the amendment, Senator Tarr and Representative Jones of North Reading moved that the amendment (Tarr/Jones) be amended by striking out the amendment in its entirety and inserting in place thereof the following:—

By striking in line 13 through 15 the following:— “income level shall be adjusted annually to reflect any increases in the cost of living by the same method used for federal income tax brackets.” and inserting in place thereof the following:— “income level shall be adjusted shall be increased or decreased at the same rate as increases or decreases in the median household income for the commonwealth for the preceding two year period, as ascertained by the governor”

The further amendment was rejected.

The pending amendment (Tarr/Jones) was then considered; and it was rejected.

Representative Jones of North Reading, Senator Tarr, Representatives Hill of Ipswich, Poirier of North Attleborough, Gifford of Wareham, Frost of Auburn, and Smola of Warren moved that the initiative be amended by striking the text in its entirety and inserting in place thereof the following:—

“Amendment Article XLIV of the Massachusetts Constitution is hereby amended by adding the following paragraph at the end thereof:

Part B taxable income, as defined by Section 4 of Chapter 62 of the General Laws, as appearing the 2014 Official Edition, shall be taxed at the rate of 5 per cent for tax years beginning on or after January 1, 2017.”

Pending the question on adoption of the amendment, Representative Jones of North Reading, Senator Tarr, Representatives Hill of Ipswich, Poirier of North Attleborough, Gifford of Wareham, Frost of Auburn, and Smola of Warren moved that the amendment be amended by striking out the amendment in its entirety and inserting in place thereof the following:—

“Amendment Article XLIV of the Massachusetts Constitution is hereby amended by adding the following paragraph at the end thereof:

Part B taxable income, as defined by Section 4 of Chapter 62 of the General Laws, as appearing the 2014 Official Edition, shall be taxed at the rate of 5 per cent for tax years beginning on or after January 1, 2019.”

After debate, question on adoption of the further amendment (Jones et al) was determined by a call of the yeas and nays at eight minutes before two o'clock P.M., on motion of Mr. Jones, as follows to wit (Yeas 42 - Nays 148) [Senate Yeas and Nays No. 299] [House Yeas and Nays No. 249]:

YEAS.

Senators.

| | |
|-------------------------|------------------------|
| deMacedo, Viriato M. | Ross, Richard J. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Humason, Donald F., Jr. | Timilty, James E. — 7. |
| O'Connor, Patrick M. | |

YEAS.

Representatives.

| | |
|----------------------------|----------------------------|
| Barrows, Jay F. | Kuros, Kevin J. |
| Berthiaume, Donald R., Jr. | Lombardo, Marc T. |
| Boldyga, Nicholas A. | Lyons, James J., Jr. |
| DeCoste, David F. | McKenna, Joseph D. |
| D'Emilia, Angelo L. | Mirra, Leonard |
| Diehl, Geoff | Muradian, David K., Jr. |
| Dooley, Shawn | Muratore, Mathew J. |
| Durant, Peter J. | O'Connell, Shaunna L. |
| Ferguson, Kimberly N. | Orrall, Keiko M. |
| Frost, Paul K. | Poirier, Elizabeth A. |
| Harrington, Sheila C. | Timilty, Walter F. |
| Hill, Bradford R. | Smola, Todd M. |
| Howitt, Steven S. | Vieira, David T. |
| Hunt, Randy | Whelan, Timothy R. |
| Gifford, Susan Williams | Whipps Lee, Susannah M. |
| Jones, Bradley H., Jr. | Wong, Donald H. |
| Kane, Hannah | Zlotnik, Jonathan D. — 35. |
| Kelcourse, James M. | |

NAYS.

Senators.

| | |
|--------------------------|-------------------------|
| Barrett, Michael J. | Keenan, John F. |
| Boncore, Joseph A. | Lesser, Eric P. |
| Brady, Michael D. | Lewis, Jason M. |
| Brownsberger, William N. | L'Italien, Barbara |
| Chandler, Harriette L. | Lovely, Joan B. |
| Chang-Diaz, Sonia | McGee, Thomas M. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| DiDomenico, Sal N. | Moore, Michael O. |
| Donnelly, Kenneth J. | O'Connor Ives, Kathleen |
| Donoghue, Eileen M. | Pacheco, Marc R. |
| Downing, Benjamin B. | Rodrigues, Michael J. |
| Eldridge, James B. | Rosenberg, Stanley C. |
| Flanagan, Jennifer L. | Rush, Michael F. |
| Forry, Linda Dorcena | Spilka, Karen E. |
| Gobi, Anne M. | Welch, James T. |
| Jehlen, Patricia D. | Wolf, Daniel A. — 33. |
| Joyce, Brian A. | |

NAYS.

Representatives.

| | |
|----------------------|-----------------------|
| Arciero, James | Cabral, Antonio F. D. |
| Ashe, Brian M. | Cahill, Daniel |
| Atkins, Cory | Calter, Thomas J. |
| Ayers, Bruce J. | Campbell, Linda Dean |
| Balsler, Ruth B. | Cantwell, James M. |
| Barber, Christine P. | Cariddi, Gailanne M. |
| Benson, Jennifer E. | Cassidy, Gerard |
| Brodeur, Paul | Chan, Tackey |

Constitution,—
millionaire's
tax.

Collins, Nick
Coppinger, Edward F.
Crighton, Brendan P.
Cronin, Claire D.
Cullinane, Daniel
Cusack, Mark J.
Cutler, Josh S.
Day, Michael S.
Decker, Marjorie C.
DeLeo, Robert A.
Dempsey, Brian S.
Devers, Marcos A.
DiZoglio, Diana
Donahue, Daniel M.
Donato, Paul J.
DuBois, Michelle M.
Dykema, Carolyn C.
Ehrlich, Lori A.
Farley-Bouvier, Tricia
Fernandes, John V.
Ferrante, Ann-Margaret
Finn, Michael J.
Fiola, Carole A.
Galvin, William C.
Garballey, Sean
Garlick, Denise C.
Garry, Colleen M.
Gentile, Carmine L.
Golden, Thomas A., Jr.
González, Carlos
Gordon, Kenneth I.
Gregoire, Danielle W.
Hay, Stephen
Hecht, Jonathan
Haddad, Patricia A.
Heroux, Paul R.
Hogan, Kate
Holmes, Russell E.
Honan, Kevin G.
Hunt, Daniel J.
Kafka, Louis L.
Kaufman, Jay R.
Keefe, Mary S.
Khan, Kay
Kocot, Peter V.
Koczera, Robert M.
Kulik, Stephen
Lawn, John J., Jr.
Linsky, David Paul
Livingstone, Jay D.
Madden, Timothy R.
Mahoney, John J.
Malia, Elizabeth A.
Mannal, Brian R.
Mariano, Ronald
Mark, Paul W.
Markey, Christopher M.
McGonagle, Joseph W., Jr.
McMurtry, Paul
Miceli, James R.
Michlewitz, Aaron
Mom, Rady
Moran, Frank A.
Moran, Michael J.
Murphy, James M.
Nangle, David M.
O'Day, James J.
Parisella, Jerald A.
Peake, Sarah K.
Peisch, Alice Hanlon
Petrolati, Thomas M.
Pignatelli, William Smitty
Puppolo, Angelo J., Jr.
Rogers, John H.
Rosa, Dennis A.
Roy, Jeffrey N.
Ryan, Daniel J.
Rushing, Byron
Sánchez, Jeffrey
Sannicandro, Tom
Scaccia, Angelo M.
Schmid, Paul A. III
Scibak, John W.
Silvia, Alan
Smizik, Frank I.
Speliotis, Theodore C.
Stanley, Thomas M.
Story, Ellen
Straus, William M.
Swan, Benjamin
Toomey, Timothy J., Jr.
Tosado, José F.
Ultrino, Steven
Vega, Aaron
Velis, John C.
Vincent, RoseLee
Wagner, Joseph F.
Walsh, Chris D.
Walsh, Thomas P. — 115.

ABSENT OR NOT VOTING.

Representatives.

Bradley, Garrett J.
Campanale, Kate D.
Carvalho, Evandro C.
Dwyer, James J.
Fox, Gloria L.
Madaro, Adrian C.
Naughton, Harold P., Jr.
Provost, Denise
Rogers, David M.
Tucker, Paul F. — 10.

The yeas and nays having been completed at one minute past two o'clock P.M., the further amendment was rejected.

The pending amendment (Jones et al) was then considered; and it was rejected.

Subsequently a statement of Mr. Carvalho of Boston was spread upon the records of the Joint Session, as follows:

Statement of
Mr. Carvalho
of Boston.

MR. PRESIDENT: I would like to call to the attention of the Joint Session 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. Had I been present I would have voted in the negative.

Subsequently a statement of Mr. Madaro of Boston was spread upon the records of the Joint Session, as follows:

Statement of
Mr. Madaro
of Boston.

MR. PRESIDENT: I would like to call to the attention of the Joint Session 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. Had I been present I would have voted in the negative.

Representative Jones of North Reading, Senator Tarr, Representatives Hill of Ipswich, Poirier of North Attleborough, Gifford of Wareham, Frost of Auburn, and Smola of Warren moved that the initiative be amended by inserting at the end thereof the following:—

“All Part B taxable income, as defined by Section 4 of Chapter 62 of the General Laws, as appearing the 2014 Official Edition, equaling less than \$1,000,000 shall be taxed at the rate of 5 per cent for tax years beginning on or after January 1, 2017.”

Pending the question on adoption of the amendment, Representative Jones of North Reading, Senator Tarr, Representatives Hill of Ipswich, Poirier of North Attleborough, Gifford of Wareham, Frost of Auburn, and Smola of Warren moved that the amendment (Jones et al) be amended by striking out the amendment in its entirety and inserting in place thereof the following:—

“All Part B taxable income, as defined by Section 4 of Chapter 62 of the General Laws, as appearing the 2014 Official Edition, equaling less than \$1,000,000 shall be taxed at the rate of 5 per cent for tax years beginning on or after January 1, 2019.”

After debate, question on adoption of the further amendment (Jones et al) was determined by a call of the yeas and nays at a quarter past two o'clock P.M., on motion of Mr. Jones, as follows to wit (Yeas 42 - Nays 147) [Senate Yeas and Nays No. 300] [House Yeas and Nays No. 250]:

YEAS.

Senators.

| | |
|-------------------------|----------------------|
| deMacedo, Viriato M. | O'Connor, Patrick M. |
| Fattman, Ryan C. | Ross, Richard J. |
| Humason, Donald F., Jr. | Tarr, Bruce E. — 6. |

YEAS.

Representatives.

| | |
|----------------------------|-----------------------|
| Barrows, Jay F. | Diehl, Geoff |
| Berthiaume, Donald R., Jr. | Dooley, Shawn |
| Boldyga, Nicholas A. | Durant, Peter J. |
| DeCoste, David F. | Ferguson, Kimberly N. |
| D'Emilia, Angelo L. | Frost, Paul K. |

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tax.

Gifford, Susan Williams
Harrington, Sheila C.
Hill, Bradford R.
Howitt, Steven S.
Hunt, Randy
Jones, Bradley H., Jr.
Kane, Hannah
Kelcourse, James M.
Kuros, Kevin J.
Lombardo, Marc T.
Lyons, James J., Jr.
McKenna, Joseph D.
Mirra, Leonard

Muradian, David K., Jr.
Muratore, Mathew J.
O'Connell, Shauna L.
Orrall, Keiko M.
Poirier, Elizabeth A.
Rogers, John H.
Smola, Todd M.
Timilty, Walter F.
Vieira, David T.
Whelan, Timothy R.
Whipps Lee, Susannah M.
Wong, Donald H.
Zlotnik, Jonathan D. — 36.

NAYS.

Senators.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Creem, Cynthia Stone
DiDomenico, Sal N.
Donnelly, Kenneth J.
Donoghue, Eileen M.
Downing, Benjamin B.
Eldridge, James B.
Flanagan, Jennifer L.
Forry, Linda Dorcena
Gobi, Anne M.
Jehlen, Patricia D.
Joyce, Brian A.
Keenan, John F.

Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara
Lovely, Joan B.
McGee, Thomas M.
Montigny, Mark C.
Moore, Michael O.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Rosenberg, Stanley C.
Rush, Michael F.
Spilka, Karen E.
Timilty, James E.
Welch, James T.
Wolf, Daniel A. — 33.

NAYS.

Representatives.

Arciero, James
Ashe, Brian M.
Atkins, Cory
Ayers, Bruce J.
Balsler, Ruth B.
Barber, Christine P.
Benson, Jennifer E.
Brodeur, Paul
Cabral, Antonio F. D.
Cahill, Daniel
Calter, Thomas J.
Campbell, Linda Dean
Cantwell, James M.
Cariddi, Gailanne M.
Carvalho, Evandro C.
Cassidy, Gerard
Chan, Tackey
Collins, Nick
Coppinger, Edward F.
Crighton, Brendan P.

Cronin, Claire D.
Cullinane, Daniel
Cusack, Mark J.
Cutler, Josh S.
Day, Michael S.
Decker, Marjorie C.
DeLeo, Robert A.
Dempsey, Brian S.
Devers, Marcos A.
DiZoglio, Diana
Donahue, Daniel M.
Donato, Paul J.
DuBois, Michelle M.
Dykema, Carolyn C.
Ehrlich, Lori A.
Farley-Bouvier, Tricia
Fernandes, John V.
Ferrante, Ann-Margaret
Finn, Michael J.
Fiola, Carole A.

| | |
|---------------------------|----------------------------|
| Galvin, William C. | Michlewitz, Aaron |
| Garballey, Sean | Mom, Rady |
| Garlick, Denise C. | Moran, Frank A. |
| Garry, Colleen M. | Moran, Michael J. |
| Gentile, Carmine L. | Murphy, James M. |
| González, Carlos | Nangle, David M. |
| Gordon, Kenneth I. | O'Day, James J. |
| Gregoire, Danielle W. | Parisella, Jerald A. |
| Haddad, Patricia A. | Peake, Sarah K. |
| Hay, Stephan | Peisch, Alice Hanlon |
| Hecht, Jonathan | Petrolati, Thomas M. |
| Heroux, Paul R. | Pignatelli, William Smitty |
| Hogan, Kate | Puppolo, Angelo J., Jr. |
| Holmes, Russell E. | Rosa, Dennis A. |
| Honan, Kevin G. | Roy, Jeffrey N. |
| Hunt, Daniel J. | Rushing, Byron |
| Kafka, Louis L. | Ryan, Daniel J. |
| Kaufman, Jay R. | Sánchez, Jeffrey |
| Keefe, Mary S. | Sannicandro, Tom |
| Khan, Kay | Scaccia, Angelo M. |
| Kocot, Peter V. | Schmid, Paul A. III |
| Koczera, Robert M. | Scibak, John W. |
| Kulik, Stephen | Silvia, Alan |
| Lawn, John J., Jr. | Smizik, Frank I. |
| Linsky, David Paul | Speliotis, Theodore C. |
| Livingstone, Jay D. | Stanley, Thomas M. |
| Madaro, Adrian C. | Story, Ellen |
| Madden, Timothy R. | Straus, William M. |
| Mahoney, John J. | Swan, Benjamin |
| Malia, Elizabeth A. | Toomey, Timothy J., Jr. |
| Mannal, Brian R. | Tosado, José F. |
| Mariano, Ronald | Ultrino, Steven |
| Mark, Paul W. | Vega, Aaron |
| Markey, Christopher M. | Velis, John C. |
| McGonagle, Joseph W., Jr. | Vincent, RoseLee |
| McMurtry, Paul | Walsh, Chris D. |
| Miceli, James R. | Walsh, Thomas P. — 114. |

ABSENT OR NOT VOTING.

Senators.

Barrett, Michael J. — 1.

ABSENT OR NOT VOTING.

Representatives.

| | |
|------------------------|--------------------------|
| Bradley, Garrett J. | Naughton, Harold P., Jr. |
| Campanale, Kate D. | Provost, Denise |
| Dwyer, James J. | Rogers, David M. |
| Fox, Gloria L. | Tucker, Paul F. |
| Golden, Thomas A., Jr. | Wagner, Joseph F. — 10. |

The yeas and nays having been completed at twenty-two minutes past two o'clock P.M., the further amendment was rejected.

The pending amendment (Jones et al) was then considered; and it was rejected.

Subsequently a statement of Mr. Barrett was spread upon the records of the Joint Session, as follows:

Statement of
Senator
Barrett.

MR. PRESIDENT: I would like to call to the attention of the Joint Session the fact that on the previous roll call I was absent from the Chamber. Please record me as having voted in the negative on further amendment 7.1

Subsequently a statement of Mr. Golden of Lowell was spread upon the records of the Joint Session, as follows:

Statement of
Mr. Golden
of Lowell.

MR. PRESIDENT: I would like to call to the attention of the Joint Session the fact that on the previous roll call I was absent from the Chamber on official business in another part of the State House. Had I been present I would have voted in the negative.

Representative Jones of North Reading, Senator Tarr, Representatives Hill of Ipswich, Poirier of North Attleborough, Gifford of Wareham, Frost of Auburn, and Smola of Warren move to amend the initiative by inserting, after the word "purposes" in line 7, the following:— " , provided however that any funds appropriated shall be in addition to and not in lieu of funds appropriated for such purposes in the fiscal year most recently completed prior to the enactment of this amendment."

After debate, question on adoption of the amendment was determined by a call of the yeas and nays at five minutes past three o'clock P.M., on motion of Mr. Jones, as follows to wit (Yeas 54 - Nays 138) [Senate Yeas and Nays No. 301] [House Yeas and Nays No. 251]:

YEAS.

Senators.

| | |
|-------------------------|------------------------|
| deMacedo, Viriato M. | Ross, Richard J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Humason, Donald F., Jr. | Tarr, Bruce E. |
| O'Connor, Patrick M. | Timilty, James E. — 8. |

YEAS.

Representatives.

| | |
|----------------------------|-------------------------|
| Barrows, Jay F. | Jones, Bradley H., Jr. |
| Berthiaume, Donald R., Jr. | Kane, Hannah |
| Boldyga, Nicholas A. | Kelcourse, James M. |
| Calter, Thomas J. | Kuros, Kevin J. |
| Cutler, Josh S. | Linsky, David Paul |
| Day, Michael S. | Lombardo, Marc T. |
| DeCoste, David F. | Lyons, James J., Jr. |
| D'Emilia, Angelo L. | McKenna, Joseph D. |
| Diehl, Geoff | Miceli, James R. |
| Dooley, Shawn | Mirra, Leonard |
| Durant, Peter J. | Muradian, David K., Jr. |
| Ferguson, Kimberly N. | Muratore, Mathew J. |
| Frost, Paul K. | Nangle, David M. |
| Garry, Colleen M. | O'Connell, Shaunna L. |
| Gifford, Susan Williams | Orrall, Keiko M. |
| Golden, Thomas A., Jr. | Poirier, Elizabeth A. |
| Gordon, Kenneth I. | Rogers, John H. |
| Harrington, Sheila C. | Rosa, Dennis A. |
| Hill, Bradford R. | Smola, Todd M. |
| Howitt, Steven S. | Straus, William M. |
| Hunt, Randy | Vieira, David T. |

Whelan, Timothy R.
Whipps Lee, Susannah M.

Wong, Donald H.
Zlotnik, Jonathan D. — 46.

NAYS.

Senators.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Creem, Cynthia Stone
DiDomenico, Sal N.
Donnelly, Kenneth J.
Donoghue, Eileen M.
Downing, Benjamin B.
Eldridge, James B.
Flanagan, Jennifer L.
Forry, Linda Dorcena
Gobi, Anne M.
Jehlen, Patricia D.

Joyce, Brian A.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara
Lovely, Joan B.
McGee, Thomas M.
Montigny, Mark C.
Moore, Michael O.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Rosenberg, Stanley C.
Spilka, Karen E.
Welch, James T.
Wolf, Daniel A. — 32.

NAYS.

Representatives.

Arciero, James
Ashe, Brian M.
Atkins, Cory
Ayers, Bruce J.
Balsler, Ruth B.
Barber, Christine P.
Benson, Jennifer E.
Brodeur, Paul
Cabral, Antonio F. D.
Cahill, Daniel
Campbell, Linda Dean
Cantwell, James M.
Cariddi, Gailanne M.
Carvalho, Evandro C.
Cassidy, Gerard
Chan, Tackey
Collins, Nick
Coppinger, Edward F.
Crighton, Brendan P.
Cronin, Claire D.
Cullinane, Daniel
Cusack, Mark J.
Decker, Marjorie C.
DeLeo, Robert A.
Dempsey, Brian S.
Devers, Marcos A.
DiZoglio, Diana
Donahue, Daniel M.
Donato, Paul J.
DuBois, Michelle M.
Dykema, Carolyn C.
Ehrlich, Lori A.
Farley-Bouvier, Tricia
Fernandes, John V.

Ferrante, Ann-Margaret
Finn, Michael J.
Fiola, Carole A.
Galvin, William C.
Garballey, Sean
Garlick, Denise C.
Gentile, Carmine L.
Gregoire, Danielle W.
Haddad, Patricia A.
Hay, Stephan
Hecht, Jonathan
Heroux, Paul R.
Hogan, Kate
Holmes, Russell E.
Honan, Kevin G.
Hunt, Daniel J.
Kafka, Louis L.
Kaufman, Jay R.
Keefe, Mary S.
Khan, Kay
Kocot, Peter V.
Koczera, Robert M.
Kulik, Stephen
Lawn, John J., Jr.
Livingstone, Jay D.
Madaro, Adrian C.
Madden, Timothy R.
Mahoney, John J.
Malia, Elizabeth A.
Mannal, Brian R.
Mariano, Ronald
Mark, Paul W.
Markey, Christopher M.
McGonagle, Joseph W., Jr.

Constitution,—
millionaire's
tax.

McMurtry, Paul
Micklewitz, Aaron
Mom, Rady
Moran, Frank A.
Moran, Michael J.
Murphy, James M.
O'Day, James J.
Parisella, Jerald A.
Peake, Sarah K.
Peisch, Alice Hanlon
Petrinati, Thomas M.
Pignatelli, William Smitty
Puppolo, Angelo J., Jr.
Rogers, David M.
Roy, Jeffrey N.
Rushing, Byron
Ryan, Daniel J.
Sánchez, Jeffrey
Sannicandro, Tom

Scaccia, Angelo M.
Schmid, Paul A. III
Scibak, John W.
Silvia, Alan
Smizik, Frank I.
Speliotis, Theodore C.
Stanley, Thomas M.
Story, Ellen
Swan, Benjamin
Timilty, Walter F.
Toomey, Timothy J., Jr.
Tosado, José F.
Ultrino, Steven
Vega, Aaron
Velis, John C.
Vincent, RoseLee
Wagner, Joseph F.
Walsh, Chris D.
Walsh, Thomas P. —106.

ABSENT OR NOT VOTING.

Representatives.

Bradley, Garrett J.
Campanale, Kate D.
Dwyer, James J.
Fox, Gloria L.

González, Carlos
Naughton, Harold P., Jr.
Provost, Denise
Tucker, Paul F. — 8.

The yeas and nays having been completed at thirteen minutes past three o'clock P.M., the amendment was *rejected*.

Subsequently a statement of Mr. González of Springfield was spread upon the records of the Joint Session, as follows:

Statement of
Mr. González
of Springfield.

MR. PRESIDENT: I would like to call to the attention of the Joint Session 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. Had I been present I would have voted in the negative.

Representative Dooley of Norfolk moved that the initiative be amended by inserting, in line 9, after the word "4 percent" the following:— " , provided that the maximum part B income tax rate for an individual does not exceed a combined 9 percent,".

After debate, question on adoption of the amendment was determined by a call of the yeas and nays at twenty-one minutes past three o'clock P.M., on motion of Mr. Dooley, as follows to wit (Yeas 39 - Nays 153) [Senate Yeas and Nays No. 302] [House Yeas and Nays No. 252]:

YEAS.

Senators.

deMacedo, Viriato M.
Fattman, Ryan C.
Humason, Donald F., Jr.

O'Connor, Patrick M.
Ross, Richard J.
Tarr, Bruce E. — 6.

YEAS.

Representatives.

Barrows, Jay F.
Berthiaume, Donald R., Jr.
Boldyga, Nicholas A.

DeCoste, David F.
D'Emilia, Angelo L.
Diehl, Geoff

Dooley, Shawn
 Durant, Peter J.
 Ferguson, Kimberly N.
 Frost, Paul K.
 Gifford, Susan Williams
 Harrington, Sheila C.
 Hill, Bradford R.
 Howitt, Steven S.
 Hunt, Randy
 Jones, Bradley H., Jr.
 Kane, Hannah
 Kelcourse, James M.
 Kuros, Kevin J.
 Lombardo, Marc T.

Lyons, James J., Jr.
 McKenna, Joseph D.
 Mirra, Leonard
 Muradian, David K., Jr.
 Muratore, Mathew J.
 O'Connell, Shaunna L.
 Orrall, Keiko M.
 Poirier, Elizabeth A.
 Smola, Todd M.
 Vieira, David T.
 Whelan, Timothy R.
 Whipps Lee, Susannah M.
 Wong, Donald H. — 33.

NAYS.

Senators.

Barrett, Michael J.
 Boncore, Joseph A.
 Brady, Michael D.
 Brownsberger, William N.
 Chandler, Harriette L.
 Chang-Diaz, Sonia
 Creem, Cynthia Stone
 DiDomenico, Sal N.
 Donnelly, Kenneth J.
 Donoghue, Eileen M.
 Downing, Benjamin B.
 Eldridge, James B.
 Flanagan, Jennifer L.
 Forry, Linda Dorcena
 Gobi, Anne M.
 Jehlen, Patricia D.
 Joyce, Brian A.

Keenan, John F.
 Lesser, Eric P.
 Lewis, Jason M.
 L'Italien, Barbara
 Lovely, Joan B.
 McGee, Thomas M.
 Montigny, Mark C.
 Moore, Michael O.
 O'Connor Ives, Kathleen
 Pacheco, Marc R.
 Rodrigues, Michael J.
 Rosenberg, Stanley C.
 Rush, Michael F.
 Spilka, Karen E.
 Timilty, James E.
 Welch, James T.
 Wolf, Daniel A. — 34.

NAYS.

Representatives.

Arciero, James
 Ashe, Brian M.
 Atkins, Cory
 Ayers, Bruce J.
 Balsler, Ruth B.
 Barber, Christine P.
 Benson, Jennifer E.
 Brodeur, Paul
 Cabral, Antonio F. D.
 Cahill, Daniel
 Calter, Thomas J.
 Campbell, Linda Dean
 Cantwell, James M.
 Cariddi, Gailanne M.
 Carvalho, Evandro C.
 Cassidy, Gerard
 Chan, Tackey
 Collins, Nick
 Coppinger, Edward F.
 Crighton, Brendan P.
 Cronin, Claire D.

Cullinane, Daniel
 Cusack, Mark J.
 Cutler, Josh S.
 Day, Michael S.
 Decker, Marjorie C.
 DeLeo, Robert A.
 Dempsey, Brian S.
 Devers, Marcos A.
 DiZoglio, Diana
 Donahue, Daniel M.
 Donato, Paul J.
 DuBois, Michelle M.
 Dykema, Carolyn C.
 Ehrlich, Lori A.
 Farley-Bouvier, Tricia
 Fernandes, John V.
 Ferrante, Ann-Margaret
 Finn, Michael J.
 Fiola, Carole A.
 Galvin, William C.
 Garballey, Sean

Constitution,—
millionaire's
tax.

| | |
|---------------------------|-----------------------------|
| Garlick, Denise C. | Moran, Michael J. |
| Garry, Colleen M. | Murphy, James M. |
| Gentile, Carmine L. | Nangle, David M. |
| Golden, Thomas A., Jr. | O'Day, James J. |
| González, Carlos | Parisella, Jerald A. |
| Gordon, Kenneth I. | Peake, Sarah K. |
| Gregoire, Danielle W. | Peisch, Alice Hanlon |
| Haddad, Patricia A. | Petrolati, Thomas M. |
| Hay, Stephan | Pignatelli, William Smitty |
| Hecht, Jonathan | Puppolo, Angelo J., Jr. |
| Heroux, Paul R. | Rogers, David M. |
| Hogan, Kate | Rogers, John H. |
| Holmes, Russell E. | Rosa, Dennis A. |
| Honan, Kevin G. | Roy, Jeffrey N. |
| Hunt, Daniel J. | Rushing, Byron |
| Kafka, Louis L. | Ryan, Daniel J. |
| Kaufman, Jay R. | Sánchez, Jeffrey |
| Keefe, Mary S. | Sannicandro, Tom |
| Khan, Kay | Scaccia, Angelo M. |
| Kocot, Peter V. | Schmid, Paul A. III |
| Koczera, Robert M. | Silvia, Alan |
| Kulik, Stephen | Smizik, Frank I. |
| Lawn, John J., Jr. | Speliotis, Theodore C. |
| Linsky, David Paul | Stanley, Thomas M. |
| Livingstone, Jay D. | Story, Ellen |
| Madaro, Adrian C. | Straus, William M. |
| Madden, Timothy R. | Swan, Benjamin |
| Mahoney, John J. | Timilty, Walter F. |
| Malia, Elizabeth A. | Toomey, Timothy J., Jr. |
| Mannal, Brian R. | Tosado, José F. |
| Mariano, Ronald | Ultrino, Steven |
| Mark, Paul W. | Vega, Aaron |
| Markey, Christopher M. | Velis, John C. |
| McGonagle, Joseph W., Jr. | Vincent, RoseLee |
| McMurtry, Paul | Wagner, Joseph F. |
| Miceli, James R. | Walsh, Chris D. |
| Michlewitz, Aaron | Walsh, Thomas P. |
| Mom, Rady | Zlotnik, Jonathan D. — 119. |
| Moran, Frank A. | |

ABSENT OR NOT VOTING.

Representatives.

| | |
|---------------------|--------------------------|
| Bradley, Garrett J. | Naughton, Harold P., Jr. |
| Campanale, Kate D. | Provost, Denise |
| Dwyer, James J. | Scibak, John W. |
| Fox, Gloria L. | Tucker, Paul F. — 8. |

The yeas and nays having been completed at twenty-nine minutes past three o'clock P.M., the amendment was *rejected*.

Subsequently a statement of Mr. Scibak of South Hadley was spread upon the records of the Joint Session, as follows:

MR. PRESIDENT: I would like to call to the attention of the Joint Session 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. Had I been present I would have voted in the negative.

After debate, on the question on agreeing to the Initiative amendment, the sense of the Joint Session was taken by a call of the yeas and

Statement of
Mr. Scibak of
South Hadley.

nays, as required by the Constitution, at three minutes before four o'clock P.M., as follows to wit (yeas 135 — nays 57) [Senate Yeas and Nays No. 303] [House Yeas and Nays No. 253]:

YEAS.

Senators.

| | |
|--------------------------|-------------------------|
| Barrett, Michael J. | Lewis, Jason M. |
| Boncore, Joseph A. | L'Italien, Barbara |
| Brady, Michael D. | Lovely, Joan B. |
| Brownsberger, William N. | McGee, Thomas M. |
| Chandler, Harriette L. | Montigny, Mark C. |
| Chang-Diaz, Sonia | Moore, Michael O. |
| Creem, Cynthia Stone | O'Connor, Patrick M. |
| DiDomenico, Sal N. | O'Connor Ives, Kathleen |
| Donnelly, Kenneth J. | Pacheco, Marc R. |
| Donoghue, Eileen M. | Rodrigues, Michael J. |
| Downing, Benjamin B. | Rosenberg, Stanley C. |
| Eldridge, James B. | Rush, Michael F. |
| Forry, Linda Dorcena | Spilka, Karen E. |
| Jehlen, Patricia D. | Timilty, James E. |
| Joyce, Brian A. | Welch, James T. |
| Keenan, John F. | Wolf, Daniel A. — 33. |
| Lesser, Eric P. | |

YEAS.

Representatives.

| | |
|-----------------------|------------------------|
| Arciero, James | DuBois, Michelle M. |
| Atkins, Cory | Dykema, Carolyn C. |
| Ayers, Bruce J. | Ehrlich, Lori A. |
| Balsler, Ruth B. | Farley-Bouvier, Tricia |
| Barber, Christine P. | Fiola, Carole A. |
| Benson, Jennifer E. | Garballey, Sean |
| Brodeur, Paul | Garlick, Denise C. |
| Cabral, Antonio F. D. | Gentile, Carmine L. |
| Cahill, Daniel | González, Carlos |
| Calter, Thomas J. | Gordon, Kenneth I. |
| Campbell, Linda Dean | Haddad, Patricia A. |
| Cantwell, James M. | Hay, Stephan |
| Cariddi, Gailanne M. | Hecht, Jonathan |
| Carvalho, Evandro C. | Heroux, Paul R. |
| Cassidy, Gerard | Hogan, Kate |
| Chan, Tackey | Holmes, Russell E. |
| Collins, Nick | Honan, Kevin G. |
| Coppinger, Edward F. | Hunt, Daniel J. |
| Crighton, Brendan P. | Kafka, Louis L. |
| Cronin, Claire D. | Kaufman, Jay R. |
| Cullinane, Daniel | Keefe, Mary S. |
| Cusack, Mark J. | Khan, Kay |
| Cutler, Josh S. | Kocot, Peter V. |
| Day, Michael S. | Koczera, Robert M. |
| Decker, Marjorie C. | Kulik, Stephen |
| DeLeo, Robert A. | Lawn, John J., Jr. |
| Dempsey, Brian S. | Linsky, David Paul |
| Devers, Marcos A. | Livingstone, Jay D. |
| DiZoglio, Diana | Madaró, Adrian C. |
| Donato, Paul J. | Madden, Timothy R. |
| Donahue, Daniel M. | Mahoney, John J. |

Constitution,—
millionaire's
tax.

| | |
|----------------------------|-------------------------|
| Malia, Elizabeth A. | Sannicandro, Tom |
| Mannal, Brian R. | Scaccia, Angelo M. |
| Mark, Paul W. | Schmid, Paul A. III |
| McGonagle, Joseph W., Jr. | Scibak, John W. |
| McMurtry, Paul | Silvia, Alan |
| Michlewitz, Aaron | Smizik, Frank I. |
| Mom, Rady | Speliotis, Theodore C. |
| Moran, Frank A. | Stanley, Thomas M. |
| Moran, Michael J. | Story, Ellen |
| Murphy, James M. | Straus, William M. |
| O'Day, James J. | Swan, Benjamin |
| Parisella, Jerald A. | Timilty, Walter F. |
| Peake, Sarah K. | Toomey, Timothy J., Jr. |
| Peisch, Alice Hanlon | Tosado, José F. |
| Pignatelli, William Smitty | Ultrino, Steven |
| Rogers, John H. | Vega, Aaron |
| Roy, Jeffrey N. | Vincent, RoseLee |
| Rushing, Byron | Wagner, Joseph F. |
| Ryan, Daniel J. | Walsh, Chris D. |
| Sánchez, Jeffrey | Walsh, Thomas P. — 102. |

NAYS.

Senators.

| | |
|-----------------------|-------------------------|
| deMacedo, Viriato M. | Humason, Donald F., Jr. |
| Fattman, Ryan C. | Ross, Richard J. |
| Flanagan, Jennifer L. | Tarr, Bruce E. — 7. |
| Gobi, Anne M. | |

NAYS.

Representatives.

| | |
|----------------------------|----------------------------|
| Ashe, Brian M. | Kelcourse, James M. |
| Barrows, Jay F. | Kuros, Kevin J. |
| Berthiaume, Donald R., Jr. | Lombardo, Marc T. |
| Boldyga, Nicholas A. | Lyons, James J., Jr. |
| DeCoste, David F. | Mariano, Ronald |
| D'Emilia, Angelo L. | Markey, Christopher M. |
| Diehl, Geoff | McKenna, Joseph D. |
| Dooley, Shawn | Miceli, James R. |
| Durant, Peter J. | Mirra, Leonard |
| Ferguson, Kimberly N. | Muradian, David K., Jr. |
| Fernandes, John V. | Muratore, Mathew J. |
| Ferrante, Ann-Margaret | Nangle, David M. |
| Finn, Michael J. | O'Connell, Shaunna L. |
| Frost, Paul K. | Orrall, Keiko M. |
| Galvin, William C. | Petrolati, Thomas M. |
| Garry, Colleen M. | Poirier, Elizabeth A. |
| Gifford, Susan Williams | Puppolo, Angelo J., Jr. |
| Golden, Thomas A., Jr. | Rosa, Dennis A. |
| Gregoire, Danielle W. | Smola, Todd M. |
| Harrington, Sheila C. | Velis, John C. |
| Hill, Bradford R. | Vieira, David T. |
| Howitt, Steven S. | Whelan, Timothy R. |
| Hunt, Randy | Whipps Lee, Susannah M. |
| Jones, Bradley H., Jr. | Wong, Donald H. |
| Kane, Hannah | Zlotnik, Jonathan D. — 50. |

ABSENT OR NOT VOTING.

Representatives.

| | |
|---------------------|--------------------------|
| Bradley, Garrett J. | Naughton, Harold P., Jr. |
| Campanale, Kate D. | Provost, Denise |
| Dwyer, James J. | Rogers, David M. |
| Fox, Gloria L. | Tucker, Paul F. — 8. |

The yeas and nays having been completed at seven minutes past four o'clock P.M., the Initiative amendment was agreed to, more than a quarter of all members elected having voted in the affirmative.

In accordance with the requirements of the Constitution, the amendment was referred to the next General Court.

Without further action on the matters duly and constitutionally assigned for consideration, at eight minutes past four o'clock P.M., on motion of Mr. Tarr, the Joint Session was recessed until Wednesday, July 13, 2016, at one o'clock P.M

At ten minutes after four o'clock P.M., the House reconvened with Mr. Donato of Medford in the Chair.

House reconvened.

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 following petitions:

Petition (accompanied by bill) of Peter V. Kocot that the Hampshire Council of Governments be authorized to secure certain obligations. To the committee on Municipalities and Regional Government.

Hampshire Council of Governments.

Petition (accompanied by bill) of Joseph F. Wagner, Eric P. Lesser and Thomas M. Petrolati (with the approval of the mayor and city council) that the commissioner of Capital Asset Management and Maintenance be authorized to grant certain easements in the city of Chicopee. To the committee on State Administration and Regulatory Oversight.

Chicopee,—land.

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

Report of the committee on Transportation, ought NOT to pass (under Joint Rule 10), on the residue of the message from His Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 4010). Under suspension of the rules, on a motion of Mr. Straus of Mattapoisett, the report was considered forthwith. Pending the question on acceptance of the report, the subject-matter was recommitted, on motion of the same member.

Municipal roads,—financing.

Jean
Barron,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Jean Barron, an employee of the Executive Office of Public Safety and Security (House, No. 4301). 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.

Westfield,—
land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing for transfers of land in Westfield (House, No. 2840), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4308). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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 substituted bill was ordered to a third reading.

Boston,—
Nelson Mandela.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

To establish a special commission to consider an appropriate tribute to Nelson Mandela in the city of Boston (House, No. 2929); and

Dracut,—
land.

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

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

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.

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

Senate bills

Andover,—
land.

Authorizing the town of Andover school district to convey a certain parcel of land (Senate, No. 1983); and

Evelena
Brown.

Establishing a sick leave bank for Evelena Brown, an employee of the Department of Children and Families (Senate, No. 2238); and

House bills

Storage
tanks.

Regarding liability insurance requirements for owners of underground storage tanks (House, No. 684);

Uninsured
cars.

To correct uninsured motorist coverage anomaly for listed operators (House, No. 797);

Relative to continuing education of insurance producers (House, No. 821); Insurance.

Relative to group market plans for automobile and homeowners insurance (House, No. 903); and Id.

Relative to restricted vital records (House, No. 2794);

Vital records.

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.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, Nos. 283, 284, 285, 287, 289, 290, 291, 292, 293, 294, 299, 303, 3220 and 3386, an Order relative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of certain House documents concerning economic development issues (House, No. 4305) [Senator deMacedo and Representatives Calter of Kingston and Orrall of Lakeville dissenting]. Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Economic Development and Emerging Technologies,—study.

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

Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Sánchez of Boston, for the committee on Health Care Financing, on House, Nos. 70 and 995, that the Bill regarding spouses as caregivers (House, No. 70), ought to pass [Cost: Greater than \$100,000.00]. Spouses,—caregivers.

By the same member, for the same committee, that the Bill relative to cueing and supervision in the PCA program (House, No. 113), ought to pass [Cost: Greater than \$100,000.00]. PCA program.

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

By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the following bills ought to pass:

Ensuring equal access to services for all residents of the Commonwealth (House, No. 125); Services.

To provide increased access to hearing aids (House, No. 262);

Hearing aids.

Relative to emergency stock epinephrine in schools (House, No. 415); and Epinephrine.

Improving students' access to life saving treatments (House, No. 417);

Students,—medical supplies.

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

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill authorizing the South Shore Charter School to join the State Employees Retirement System (House, No. 4072). Read; and referred, under Rule 33, to the committee on Ways and Means. South Shore Charter School.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4132, a Bill authorizing the city of New Bedford to issue an additional license for the New Bedford,—alcoholic beverages.

sale of all alcoholic beverages not to be drunk on the premises (House, No. 4306) [Local Approval Received].

Birth
certificates.

By Ms. Hogan of Stow, for the committee on Public Health, on Senate, No. 1144 and House, No. 2045, a Bill granting equal access to original birth certificates to all persons born in Massachusetts (House, No. 4307).

Cecleie
Ferri,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Cecleie Ferri, an employee of the Massachusetts Department of Correction (House, No. 4249).

Patricia
Barry,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Patricia Barry, an employee of the Department of Public Health (House, No. 4266).

Rick
Freni,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Rick Freni, an employee of the Massachusetts Department of Transportation (House, No. 4267).

David
Saulnier,—
sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for David J. Saulnier, an employee of the Middlesex Sheriff's Office (House, No. 4291).

Christopher
Mullen,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Christopher Mullen, an employee of the Hampshire County Sheriff's Office (House, No. 4292).

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

Emergency Measure.

Kelli
Murphy.

The engrossed Bill establishing a sick leave bank for Kelli Murphy, an employee of the Trial Court (see House, No. 4288), 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 61 to 0. 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 tomorrow at eleven o'clock A.M.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-three minutes after four o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.