

JOURNAL OF THE HOUSE.

Thursday, October 6, 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.

Appointment to a Special Commission by the Minority Leader.

Behavioral health promotion and upstream prevention.

The Minority Leader announced that he had appointed Mrs. Ferguson of Holden to the special commission on behavioral health promotion and upstream prevention established (under Section 193 of Chapter 133 of the Acts of 2016) to investigate evidence-based practices, programs and systems to prevent behavioral health disorders and promote behavioral health across the Commonwealth.

Distinguished Guests.

Ambassador Zhang Qiyue.

During the session, the Chair (Mr. Kafka of Stoughton) declared a brief recess and introduced Ambassador Zhang Qiyue and her staff from the Consulate of the People's Republic of China in New York who were visiting the House Chamber. The Consulate was in Boston to celebrate China Day at the State House in Great Hall. The Chinese Consulate working with the Asian Caucus put together the event recognizing the 37 years of friendship and cooperation between the People's Republic of China and the Commonwealth of Massachusetts. The ambassador and her entourage were the guests of Mr. Chan of Quincy and the members of the Asian Legislative Caucus.

Resolutions.

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

Edward O'Leary.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Chief Edward O'Leary on the occasion of his retirement from the Foxborough Police Department;

Breast Cancer Awareness Day.

Resolutions (filed by Ms. Benson of Lunenburg) recognizing October 13, 2016 as Massachusetts Metastatic Breast Cancer Awareness Day;

Brook Farm.

Resolutions (filed by Mr. Coppinger of Boston) commending the New Brook Farm, Inc. on its commemoration of the one hundred seventy-fifth anniversary of Brook Farm;

Pembroke.

Resolutions (filed by Mr. Cutler of Duxbury) honoring the town of Pembroke for its dedication to service; and

Susan Webb.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Susan Webb and Stray Pets in Need on the occasion of its twenty-fifth anniversary;

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

Communications.

Communications

From the Department of Mental Health (see Section 16F(b) of Chapter 64 of the General Laws) submitting the 2017 annual report concerning the Annual Individual and Family Support Plan;

Individual and family support plan.

From the Massachusetts Technology Collaborative (see Section 61 of Chapter 40J of the General Laws) submitting the annual report of the Massachusetts Computer Attainment Network concerning fiscal year 2016; and

MassCAN,—annual report.

From the University of Massachusetts Medical School (see Section 43(f) of Chapter 75 of the General Laws) submitting the 2016 annual report of activities;

UMass Medical School.

Severally were placed on file.

Annual and Quarterly Reports.

The annual report of the Group Insurance Commission (under Section 21 of Chapter 32A of the General Laws) relative to the vendor quality improvement initiative of said commission; and

Vendor quality improvement.

A quarterly report of the Department of Public Health (under item 4513-1020 of Chapter 46 of the Acts of 2015) submitting the early intervention program report for April, May and June of the fiscal year 2016 [copies of said report were forwarded to the committees on Ways and Means and Economic Development and Emerging Technologies];

Early intervention program.

Severally were placed on file.

Petition.

Representative Cantwell of Marshfield and Senator O'Connor presented a joint petition (subject to Joint Rule 12) of James M. Cantwell and Patrick O'Connor for legislation to establish a sick leave bank for Mary Katherine Sheehan, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Mary Katherine Sheehan,—sick leave.

Paper from the Senate.

The House Bill authorizing the city of New Bedford to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4306, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 9 to 16, inclusive, by striking out the two paragraphs contained in those lines (as amended by the House) and inserting in place thereof the following two paragraphs:

New Bedford,—liquor licenses.

“(c) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

New Bedford,—
liquor
licenses.

(d) If the license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.”.

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

Andover,—
sub-
precinct.

A Bill relative to eliminating sub-precinct 9A in the town of Andover (Senate, No. 2368) (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.

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. Tucker of Salem, the bill was read a second time forthwith; and it was ordered to a third reading.

Abington,—
charter.

A petition (accompanied by bill, Senate, No. 2496) John F. Keenan (by vote of the town) for legislation relative to the town charter of Abington, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committees.

Pembroke,—
James “Tiny”
Brown
square.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Josh S. Cutler, Viriato M. deMacedo and Mathew J. Muratore for legislation to designate a certain intersection in the town of Pembroke as the James “Tiny” Brown memorial square. Under suspension of the rules, on motion of Mr. Smola of Warren, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Mandated
reporters,—
study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, No. 4247, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain House document concerning mandated reporters (House, No. 4679) [Representative O’Connell of Taunton dissenting].

Westwood
liquor
license,—
study.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4358, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain House document concerning authorizing the town of Westwood to grant a special license for the sale of alcoholic beverages for off-premise consumption at an indoor or outdoor agricultural event (House, No. 4680).

Economic
Development
and

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 4365, an Order rela-

ative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of a certain House document concerning economic development and emerging technologies issues (House, No. 4681) [Representative Orrall of Lakeville dissenting].

Emerging
Technologies,—
study.

By Ms. Garlick of Needham, for the committee on Elder Affairs, on Senate, No. 2139, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of a certain Senate document concerning limited health services and other related issues (House, No. 4682).

Elder health,—
study.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 22, 866, 891, 958 and 4148, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financial services issues (House, No. 4683).

Financial
Services,—
study.

By the same member, for the same committee, on House, Nos. 792, 800, 843, 879, 920, 925, 926 and 948, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financial services issues (House, No. 4684).

Id.

By Mr. Sánchez of Boston, for the committee on Health Care Financing, on House, No. 1895, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of a certain House document concerning the financing and delivery of health care in the Commonwealth (House, No. 4685).

Health Care
Financing,—
study.

By the same member, for the same committee, on House, Nos. 1912, 1977, 1995, 1999, 2013, 2041 and 4472, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning the financing and delivery of health care in the Commonwealth (House, No. 4686).

Id.

By the same member, for the same committee, on House, Nos. 1917, 3472, 4407 and 4409, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning the financing and delivery of health care in the Commonwealth (House, No. 4687).

Id.

By the same member, for the same committee, on House, No. 3488, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of a certain House document concerning the financing and delivery of health care in the Commonwealth (House, No. 4688).

Id.

By the same member, for the same committee, on House, No. 4415, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of a certain House document concerning the financing and delivery of health care in the Commonwealth (House, No. 4689).

Id.

By Mr. Honan of Boston, for the committee on Housing, on House, No. 4353, an Order relative to authorizing the committee on Housing to make an investigation and study of a certain House document concerning condominiums issues (House, No. 4690).

Condominiums,—
study.

By the same member, for the same committee, on House, No. 4553, an Order relative to authorizing the committee on Housing to make an investigation and study of a certain House document concerning mini-

Id.

Condominiums,— study. mizing foreclosures and their harm (House, No. 4691) [Representative González of Springfield dissenting].

Judiciary,— study. By Mr. Fernandes of Milford, for the committee on the Judiciary, on House, Nos. 4440 and 4466, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning judiciary issues (House, No. 4692).

Id. By the same member, for the same committee, on House, No. 4554, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of a certain House document concerning judiciary issues (House, No. 4693).

Revenue,— study. By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4523, an Order authorizing the committee on Revenue to make an investigation and study of a certain House document concerning revenue issues (House, No. 4694).

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

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

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

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

Donna Paul,— sick leave. The Senate Bill establishing a sick leave bank for Donna Paul, an employee of the Department of Corrections [sic] (Senate, No. 2484, amended); and

Anthony Sahagian. House bills Authorizing the town of Boylston to continue the employment of police chief Anthony Sahagian (House, No. 4465) [Local Approval Received]; and

Grafton,— police. Exempting all ranks of sworn police officers in the town of Grafton police department from the provisions of civil service law (House, No. 4603) [Local Approval Received];

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

Bridgewater,— McSheffrey corner. By Mr. Straus of Mattapoisett, for the committee on Transportation, on a joint petition, a Bill designating a certain intersection under the control of the Massachusetts Department of Transportation in the town of Bridgewater (House, No. 4607).

Senator Joan M. Menard Overpass. By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Freetown as the Senator Joan Menard Bridge (House, No. 4628, changed in lines 2 and 3 by striking out the words "Menard bridge" and inserting in place thereof the following: "M. Menard Overpass").

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

Emergency Measure.

The engrossed Bill designating a certain bridge in the city of Fall River as the Tom Tetrault Bridge (see Senate, No. 2480), 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.

Tom Tetrault Bridge.

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 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Engrossed Bills.

The engrossed Bill validating the actions taken at the annual town election held in the town of Dudley (see House bill printed in House, No. 3778) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Engrossed bills Relative to personal savings (see Senate, No. 2374) (which originated in the Senate);

Bills enacted.

Authorizing the town of Acton to grant 16 additional licenses for the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 4185, amended); and

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

(Which severally originated in the House); Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The engrossed Bill further regulating the recorking of wine (see House, No. 199, changed and amended), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4677), was considered.

Wine,— recorking.

The committee on Bills in the Third Reading report recommending that the amendment recommended by the Governor be considered in the following form:

In line 6 (as engrossed) by striking out the words "the holder of". The amendment was adopted. Sent to the Senate for its action.

House bills

Third
reading
bills.

Relative to non-partisan municipal elections in the city of Somerville (House, No. 4175) (its title having been changed by the committee on Bills in the Third Reading); and

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

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 nineteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (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.