

# JOURNAL OF THE HOUSE.

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Thursday, December 3, 2015.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of  
allegiance.

### *Guests of the House.*

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, the students and teachers from the Jeremiah E. Burke School in Dorchester, and congratulated them on their extraordinary scholastic achievements over the last three years. At the invitation of the Chair, the students and teachers participated in the pledge of allegiance to the flag. They were the guests of Ms. Malia of Boston. Dorchester,—  
Jeremiah E.  
Burke  
School.

### *Resolutions.*

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

Resolutions (filed by Mr. Arciero of Westford) commemorating the 2015 celebration of Chanukah by Chabad of Nashoba Valley; Chabad of  
Nashoba Valley.

Resolutions (filed by Mr. Arciero of Westford) congratulating Dr. Judith L. Klimkiewicz on the occasion of her retirement from the Nashoba Valley Technical High School; and Judith  
Klimkiewicz.

Resolutions (filed by Mr. Timilty of Milton) honoring Michael McArdle for his outstanding achievements and contributions to Milton youth sports and the town of Milton; Michael  
McArdle.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Malia of Boston, 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 Massachusetts Clean Energy Center (see Section 5 of Chapter 23J of the General Laws) submitting the annual Massachusetts Clean Energy Industry Report, including the final independently audited financial report for fiscal year 2015 [copies of the report were forwarded by the Center to the committees on Ways and Means; Economic Development and Emerging Technologies; Environment, Natural Resources and Agriculture; and Telecommunications, Utilities and Energy]; Clean  
Energy  
Report.

Financial  
Literacy  
Pilot  
Program.

From the Department of Elementary and Secondary Education (see item 7061-0928 contained in Section 2 of Chapter 165 of the Acts of 2014) submitting the activities funded by the state budget, Financial Literacy Pilot Program, during the period from March, 2013 through June, 2015;

Health  
professions,—  
fees.

From the Division of Health Professions Licensure (see Section 3B of Chapter 7 of the General Laws) submitting notice of proposed fee increases for outsourcing facility registration; and

Metropolitan  
planning,—  
processes.

From the Metropolitan Planning Organization Special Commission (see Section 30 of Chapter 79 of the Acts of 2014) referencing its intention to continue in its efforts to review the MPO processes in the Commonwealth by extension of the current reporting deadline of November 30, 2015, and its intention to file a final report by September 30, 2016.

Severally were placed on file.

#### *Report.*

Drug Diversion  
and Education  
Fund.

A report of the Massachusetts District Attorneys' Association (under item 0340-0203 contained in Section 2 of Chapter 46 of the Acts of 2015) submitting the anticipated distribution of the Drug Diversion and Education Fund, was placed on file.

#### *Petitions.*

Petitions severally were presented and referred as follows:

Shrewsbury,—  
liquor  
license.

By Representative Kane of Shrewsbury and Senator Moore, a joint petition (accompanied by bill, House, No. 3880) of Hannah Kane (by vote of the town) that the town of Shrewsbury be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Dedham,—  
renewable  
energy.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (accompanied by bill, House, No. 3881) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to create a renewable energy fund for said town. To the committee on Municipalities and Regional Government.

Dedham,—  
stabilization  
fund.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (accompanied by bill, House, No. 3882) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to deposit receipts from the local meals excise to the Robin Reyes Major Capital Facilities Stabilization Fund. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Foxborough,—  
affordable  
housing.

By Mr. Barrows of Mansfield, a petition (subject to Joint Rule 12) of F. Jay Barrows that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the town of Foxborough to the Foxborough Housing Authority for affordable housing purposes.

By Mr. Kulik of Worthington, a petition (subject to Joint Rule 12) of Stephen Kulik and others relative to the retirement classification of state inspectors. Inspectors,—  
retirement.

By Mr. Swan of Springfield, a petition (subject to Joint Rule 12) of Benjamin Swan for legislation to establish a sick leave bank for Ronald Brace, an employee of the Department of Youth Services. Ronald  
Brace,—  
sick leave.

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

*Paper from the Senate.*

A Bill relative to taxes due upon the death of active duty personnel and the elderly (Senate, No. 1467) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Estate  
tax.

*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:

Petition (accompanied by bill) of James R. Miceli relative to the implementation of the Wilmington Wildcat Community Service Program. To the committee on Education. Wilmington,—  
community  
program.

Petition (accompanied by bill) of Daniel M. Donahue and others for legislation to establish the rank of first lieutenant of the State Police. To the committee on Public Safety and Homeland Security. State Police,—  
first  
lieutenant.

Petition (accompanied by bill) of Gailanne M. Cariddi, Tricia Farley-Bouvier and William Smitty Pignatelli for legislation to establish the public construction surety bond state guarantee fund. To the committee on State Administration and Regulatory Oversight. Public  
construction  
surety  
bonds.

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

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill relative to Sunday wages (House, No. 1752), be scheduled for consideration by the House. Sunday  
wages.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 177) of Paul J. Donato and others for legislation to further regulate the registration of podiatrists,— and recommending that the same be referred to the committee on Public Health. Podiatrists,—  
registration.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2145) of Kay Khan and others for legislation to establish within the Executive Office of Public Safety and Security an interagency council on management Sexual  
offenders,—  
management  
council.

Sexual  
offenders,—  
management  
council.

of adult and juvenile sexual offenders,— and recommending that the same be referred to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Speech-  
language  
pathologists,—  
licensure.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 228, a Bill providing for provisional licensure for speech-language pathologists (House, No. 3879). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Wine,—  
recorking.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 159 and House, No. 199, a Bill relative to the recorking of wine (House, No. 199, changed in section 1, in lines 1 and 2, by striking out the following: “Section 3 of Chapter 33 of the Acts of 2010 is hereby amended by inserting, at the end of the paragraph,” and inserting in place thereof the following: “Section 12 of Chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the words ‘during such meal;’ in line 24.”).

Linda  
Vitt,—  
sick leave.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Linda Vitt, an employee of the Trial Court (House, No. 3863).

Cambridge,—  
housing  
authority.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to the tax status of certain land owned by a housing authority within the city of Cambridge (House, No. 3867) [Local Approval Received].

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

#### *Orders of the Day.*

Wayland,—  
liquor  
license.

The Senate amendments of the House Bill authorizing the town of Wayland to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3722, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Third  
reading  
bill.

The Senate Bill authorizing the city of Lynn to grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2038), 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, in concurrence.

Lucia R.  
Dias,—  
sick leave.

The House Bill establishing a sick leave bank for Lucia R. Dias, an employee of the Department of Bristol County Sheriff’s Office (House, No. 3840) (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, Mr. Speliotis of Danvers moved to amend it 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 Bristol county sheriff’s office, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.*

The amendment was adopted; and the bill (House, No. 3840, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered,* That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next  
sitting.

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At twelve minutes after eleven o’clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.