

JOURNAL OF THE HOUSE.

Monday, December 5, 2016.

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.

Silent Prayer.

At the request of the Chair (Mr. Donato) and Representatives Barber of Somerville and Garballey of Arlington, the members, guests and employees stood in a moment of silent tribute to the memory of Sergeant Major Bernardino Stabile of Medford. Bernie, as he was affectionately known, was a United States Marine and a member of the Secret Service of the United States. Bernie's World War II service in the Pacific brought him to the Marshal Islands, Saipan and Iwo Jima. He also saw action in the Korean War, served two tours in Vietnam and served in the Dominican Republic. In the Secret Service he climbed to the rank of "Special Officer". He was often referred to as being a "True Legend" of the Marine Corps and the Secret Service. Bernie and his late wife Evelyn, who passed away 4 years ago, had been married for 60 years. Sergeant Major
and
Secret Service
Special Officer
Bernardino
Stabile.

Resolutions.

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

Resolutions (filed by Messrs. Muratore of Plymouth, Calter of Kingston and Hunt of Sandwich) congratulating Constance DiLego on her retirement; and Constance
DiLego.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Benjamin David Lussier on receiving the Eagle Award of the Boy Scouts of America; Benjamin
Lussier.

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

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 4748) of Paul W. Mark (by vote of the town) that the town of Leyden be authorized to continue the employment of Daniel J. Galvis, chief of the police department of said town; and Leyden,—
civil
service.

Wayland,—
civil
service.

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 4749) of Alice Hanlon Peisch, Carmine L. Gentile and Richard J. Ross (by vote of the town) that the town of Wayland be authorized to exempt all police personnel from the civil service law;
Severally to the committee on Public Service.
Severally sent to the Senate for concurrence.

Presidential
electors.

Petitions severally were presented and referred as follows:
By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley and others relative to the procedures for choosing presidential electors.

Marie
Visco,—
sick leave.

By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli for legislation to establish a sick leave bank for Marie Visco, an employee of the Department of Public Health.
Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Uniform
Probate
Code,—
procedural
omission.

The House Bill correcting a procedural omission regarding actions against certain decedents under the Uniform Probate Court (House, No. 1194) (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 in section 1, in line 6, striking out the word “may” and inserting in place thereof the words “shall only”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Lisa
Eppy,—
sick leave.

Petition (accompanied by bill, Senate, No. 2509) of Jennifer L. Flanagan and Stephan Hay for legislation to establish a sick leave bank for Lisa Eppy, an employee of the Department of Children and Families; and

Kristine
Schneider,—
sick leave.

Petition (accompanied by bill, Senate, No. 2510) of Jennifer L. Flanagan for legislation to establish a sick leave bank for Kristine Schneider, an employee of the Department of Transitional Assistance;
Severally to the committee on Public Service.

Reports of a Committee.

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

Salem,—
liquor
license.

Authorizing the city of Salem to grant one additional license for the sale of alcoholic beverages to be drunk on the premises (House, No. 4718) [Local Approval Received]; and

Easton,—
by-laws.

Ratifying certain bylaws in the town of Easton (House, No. 4738) [Local Approval Received];

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

Engrossed Bills.

Engrossed bills
Repealing the Supplemental Reserve Fund in the city of Pittsfield (see Senate, No. 2412) (which originated in the Senate);
Authorizing the disclosure of medical information to certain designated caregivers (see House, No. 3911, amended); and
Authorizing the town of Littleton to grant an additional license for the sale of all alcoholic beverages not to be drunk on premises (see House, No. 4453, 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 House Bill authorizing the retirement board of the city of Cambridge to grant creditable service to Kenneth T. Mui, Andrew Topouzoglou, Steven DeMarco, and Anthony Cacciola (House, No. 3288) (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 lines 3 and 4, after the figures “2005”, and also in line 5, after the figures “1993”, by inserting, in each instance, the word “, inclusive”; and in lines 8 to 13, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “Before the date that a retiree’s retirement allowance becomes effective in the case of Kenneth T. Mui, Andrew Topouzoglou, Steven DeMarco, or Anthony Cacciola, the relevant retiree shall pay into the annuity savings fund of the retirement system of the city, in 1 sum or installments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from the retiree’s regular compensation for such service, plus interest.”

The amendments were adopted; and the bill (House, No. 3288, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Philippe Fauche, an employee of the Department of Mental Health (House, No. 3721), 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 out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding any general or special law to the contrary, the department of mental health shall establish a sick leave bank for Philippe Fauche, an employee of the department. Any employee of the department may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by Philippe Fauche. If Philippe Fauche terminates employment with the department or requests to dissolve the sick leave bank, any remaining time in the sick leave bank

Bills
enacted.

Cambridge,—
creditable
service.

Philippe
Fauche,—
sick leave.

Philippe
Fauche,—
sick leave.

shall be transferred to the extended illness leave bank. Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department.”; 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 mental health, 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. 3721, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Concord,—
tax
exemption.

The House Bill establishing a senior means-tested property tax exemption in the town of Concord (House, No. 4473) (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, in section 5, in line 50, by inserting after the word “town” the words “, or else they shall not”; and by striking out section 8 and inserting in place thereof the following section:

“SECTION 8. This act shall expire after 3 years of implementation of the exemption.”.

The amendments were adopted; and the bill (House, No. 4473, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Alicia
Harmon,—
sick leave.

The House Bill establishing a sick leave bank for Alicia Harmon, an employee of the Massachusetts Rehabilitation Commission (House, No. 4730) (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 Massachusetts rehabilitation commission, 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. 4730, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o’clock A.M.

At a fourteen 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 Thursday at eleven o’clock A.M., in an Informal Session.