

## JOURNAL OF THE HOUSE.

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Monday, December 12, 2016.

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

### *Message from the Governor — Veto.*

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill protecting the rights of custodial and other non-teaching employees of school districts [see House, No. 2319, amended] (for message, see House, No. 4755), was filed in the Office of the Clerk on Friday, December 8. Schools,—  
collective bargaining.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting.

### *Message from the Governor.*

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the results of the annual town election held in the town of Becket on May 16, 2015 (House, No. 4756), was filed in the office of the Clerk on Friday, December 8. Becket,—  
annual town election.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Election Laws. Sent to the Senate for concurrence.

### *Appointment of the Minority Leader.*

The Minority Leader announced that (under Section 14 of Chapter 188 of the Acts of 2016) he had appointed Richard P. Grassie, President and CEO of Prism Security, Inc., to serve as his designee on the nuclear decommissioning citizens' advisory panel. Nuclear decommissioning citizen advisors.

### *Resolutions.*

Resolutions (filed with the Clerk by Mr. Miceli of Wilmington and other members of the House) celebrating the commemoration of the seventy-fifth anniversary of the Civil Air Patrol, were referred under Rule 85, to the committee on Rules. Civil Air Patrol.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Wong of Saugus, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Advisory Committee Studying the Development and Implementation of Six-Year Career Plans (see Chapter 449 of the Acts of 2014) submitting recommendations for individual learning plans, was placed on file.

Six-year learning plans.

Petitions.

Representative O'Day and Senator Chandler presented a petition (accompanied by bill, House, No. 4761) of James J. O'Day and Harriette L. Chandler (by vote of the town) that the town of West Boylston be authorized to appoint the town clerk of said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

West Boylston,—town clerk.

Mr. Roy of Franklin presented a petition (subject to Joint Rule 12) of Jeffrey N. Roy, Richard J. Ross and Karen E. Spilka for legislation to establish a sick leave bank for Kirsten Parisi, an employee of the Commission for the Blind; and the same was referred, under Rule 24, to the committee on Rules.

Kirsten Parisi,—sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. McGonagle of Everett, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Farley-Bouvier of Pittsfield, a petition (subject to Joint Rule 12) of Tricia Farley-Bouvier for legislation to establish a sick leave bank for Leah Reed, an employee of the Department of Developmental Services.

Leah Reed,—sick leave.

By Mr. Vega of Holyoke, a petition (subject to Joint Rule 12) of Aaron Vega for legislation to establish a sick leave bank for Ronald Friel, an employee of the Department of Disability Services.

Ronald Friel,—sick leave.

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

Papers from the Senate.

The House Bill relative to prescription eye drops (House, No. 4195, amended), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2512; and by striking out the title and inserting in place thereof the following title: "An Act relative to eye care". The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Prescription,—eye care.

The House Bill relative to the assessment of local property taxes in the town of Westwood (House, No. 4573), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 4 to 21, inclusive, striking out the text contained in those lines.

Westwood,—property taxes.

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

A Bill relative to the sale of alcoholic beverages at farmers' markets (Senate, No. 2513) (on Senate bill No. 138, changed), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Farmers' markets,—liquor.

A Bill establishing a sick leave bank for Nereida Prats, an employee of the Department of Developmental Services (Senate, No. 2506, amended by inserting before the enacting clause the following emergency preamble:

Nereida Prats,—sick leave.

"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 developmental services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (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.

Reports of Committees.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Francisco Melendez, an employee of the Department of Youth Services (House, No. 4751), be scheduled for consideration by the House.

Francisco Melendez,—sick leave.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, 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, on House, No. 4737, a Bill authorizing the city of Salem to convert certain seasonal liquor licenses to annual licenses and grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4757) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Salem,—liquor licenses.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Jennifer Gay, an employee of the Department of Developmental Services (see House, No. 4366, amended), 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.

Jennifer Gay,—sick leave.

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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

*Engrossed Bill.*

Bill enacted.

The engrossed Bill relative to municipal contracts in the city of Somerville (see Senate, No. 2225) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Third reading bill.

The House Bill providing for certain sewer services by the Massachusetts Water Resources Authority (House, No. 4733) (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; and it was passed to be engrossed. Sent to the Senate for concurrence.

Salisbury,— sewer betterment.

The Senate Bill authorizing assessment of sewer betterments and privilege fees in the town of Salisbury (Senate, No. 2481), 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, in concurrence, Mr. Speliotis of Danvers moved to amend it in section 3, in line 1, by striking out the word "Said" (as published) and inserting in place thereof the following: "Notwithstanding chapter 83 of the General Laws or any other general or special law to the contrary, the".

The amendment was adopted; and the bill (Senate, No. 2481, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Insurance producers,— education.

The House Bill relative to continuing education of insurance producers (House, No. 821), 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 substitution of a bill with the same title (House, No. 4760), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Timothy King,— retirement.

The House Bill authorizing Timothy King to purchase creditable service from the Barnstable county retirement board (House, No. 4580), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it, in line 1 by striking out the word "any" and inserting in place thereof the following: "section 3 of chapter 71 of the acts of 1996, or any other".

The amendment was adopted; and the bill (House, No. 4580, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Michael Locke,— retirement.

The House Bill authorizing Michael Locke to purchase creditable service from the Barnstable county retirement board (House, No. 4581), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 1 by striking out the word "any" and inserting in place thereof the following: "section 3 of chapter 71 of the acts of 1996, or any other".

The amendment was adopted; and the bill (House, No. 4581, 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 Thursday next at eleven o'clock A.M. Next sitting.

At a eighteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. McMurtry of Dedham being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.