

JOURNAL OF THE HOUSE.

Thursday, December 22, 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).

Pledge of allegiance.

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.

Resolutions.

Robert Brodeur.

Resolutions (filed with the Clerk by Mr. Brodeur of Melrose) congratulating Robert Andrew Brodeur on receiving the Eagle Award of the Boy Scouts of America, were referred under Rule 85, to the committee on Rules.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, 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.

Communications.

Communications

Commonwealth debt.

From the Capital Debt Affordability Committee of the Executive Office for Administration and Finance (see Section 60B(f) of Chapter 29 of the General Laws) submitting the committee's estimate of the total amount of new Commonwealth debt that may be prudently authorized for the next fiscal year;

Norfolk County,—technology fund.

From the Norfolk County Registry of Deeds (under 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]; and

Veterans' homes.

From the Department of Veterans' Services (see Section 16(b) of Chapter 141 of the Acts of 2016) submitting the report on the status of the Commonwealth's soldiers' homes [copies were forwarded by said department to the joint committees on Housing, Public Health, and Veterans and Federal Affairs].

Severally were placed on file.

Petitions.

Deborah McNamara,—sick leave.

Mr. Ryan of Boston presented a petition (subject to Joint Rule 12) of Daniel J. Ryan and others for legislation to establish a sick leave bank for Deborah McNamara, an employee of the Department of Conservation and Recreation; and the same was referred, under Rule 24, to the committee on Rules.

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. O'Day of West Boylston, 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.

Mr. Walsh of Framingham presented a petition (subject to Joint Rule 12) of Chris Walsh for legislation to establish a sick leave bank for Iqbal Shahzad, an employee of the Department of Public Health; and the same was referred, under Rule 24, to the committee on Rules.

Iqbal Shahzad,—sick leave.

Papers from the Senate.

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

Petition (accompanied by bill, Senate, No. 2519) of Michael D. Brady and Michelle M. DuBois for legislation to establish a sick leave bank for Shalonda Hall, an employee of the Department of Public Health.

Shalonda Hall,—sick leave.

Petition (accompanied by bill, Senate, No. 2518) of Ryan C. Fattman and Kevin J. Kuros for legislation to establish a sick leave bank for Paula Daggett, an employee of the Department of Correction.

Paul Daggett,—sick leave.

Severally to the committee on the Public Service.

The following notice was received from the Clerk of the Senate, to wit:—

December 22, 2016.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Stanley C. Rosenberg, President of the Senate, has announced the following appointments:

Stephanie S. Lovell, Esq. (pursuant to Chapter 4 of the Resolves of 2016) to the Task Force on Integrity in State and Local Government;

Integrity in government.

Nina Kimball (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women; and

Status of women.

Jonjy Anath (pursuant to Section 68 of Chapter 3 of the Acts of 2006) to the Asian American Commission; and

Asian American Commission.

That the Honorable Bruce E. Tarr, Senate Minority Leader, has announced the appointment (pursuant to Section 78 of Chapter 119 of the Acts of 2015) of Mr. Doug Shotford of Gloucester to the Special Commission to make an investigation and study of pancreatic cancer.

Pancreatic cancer commission.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

Worcester,—
land.

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 James J. O'Day and Harriette L. Chandler relative to authorizing the transfer of certain parcels of land in the city of Worcester to promote economic development. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Medford,—
liquor
licenses.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4752, a Bill increasing the number of licenses for the sale of wines and malt beverages in the city of Medford from twenty five to forty (House, No. 4769) [Local Approval Received].

Reading,—
liquor
licenses.

By the same member, for the same committee, on House, No. 4753, a Bill authorizing the town of Reading to grant licenses for the sale of alcoholic beverages (House, No. 4770) [Local Approval Received].

Becket,—
town
election.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the results of the annual town election held in the town of Becket on May 16, 2015 (printed in House, No. 4756).

North
Reading,—
water.

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill authorizing the Massachusetts Water Resources Authority to supply water to the town of North Reading (House, No. 4743) [Local Approval Received].

Kirsten
Parisi,—
sick leave.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kirsten Parisi, an employee of the Commission for the Blind (House, No. 4768).

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

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

Under suspension of the rules, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Congo
conflict
minerals.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the Senate Resolve examining Commonwealth procurement policies relative to Congo conflict minerals (Senate, No. 2463), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the resolve was read a second time.

Pending the question on ordering the resolve to a third reading, Mr. Jones of North Reading moved to amend it in line 23 by striking out the word "February" and inserting in place thereof the word "July".

The amendment was adopted; and the resolve (Senate, No. 2463, amended) was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of Mr. Rushing of Boston, the resolve (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 resolve to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting after the title the following emergency preamble:

"Whereas, The deferred operation of this resolve would tend to defeat its purpose, which is to establish forthwith an examination of commonwealth procurement policies relative to Congo conflict minerals, 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 resolve (Senate, No. 2364, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to train culverts in the town of Lynnfield (House, No. 4742, changed in line 7 by striking out the word "and" and inserting in place thereof the word "an", and in line 8 by striking out the following: "31A" and inserting in place thereof the following: "31") [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lynnfield,—
culverts.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the transfer of certain parcels of land in the city of Worcester to promote economic development (House, No. 4774). Read; and referred, under Rule 33, to the committee on Ways and Means.

Worcester,—
land.

Emergency Measure.

The engrossed establishing a sick leave bank for Cecile Ferrie an employee of the Department of Correction (see House, No. 4249, 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.

Cecile
Ferrie,—
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 2 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing assessment of sewer betterments and privilege fees in the Town of Salisbury (see Senate, No. 2481, amended) (which originated in the Senate); Increasing certain snow removal penalties in the city of Boston (see House, No. 3326, amended);

Bills
enacted.

Authorizing the town of Sharon to abate certain real property taxes (House, No. 4339); and

Facilitating urban redevelopment in the city of Quincy (see House, No. 4739);

(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.

Boston,—
land. The Senate amendment of the House Bill authorizing the lease or other disposition of certain parcels of land in the city of Boston (House, No. 4468), was considered.

The committee on Bills in the Third Reading reported recommending the House non-concur with the Senate in its amendment; and the report was accepted.

The House then non-concurred with the Senate in its amendment. The bill then was sent to the Senate for its action.

New Bedford,—
liquor
license. The Senate amendment of 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), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Pending the question on adoption of the amendment, in concurrence, Mr. Speliotis of Danvers moved that the House concur with the Senate in its amendment with a further amendment by striking out subsection (c) (inserted by amendment by the Senate) as follows:

“(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.” and inserting in place thereof the following subsection:

“(c) Once issued, the licensing authority shall not approve the transfer of the license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity. The licensee shall obtain approval from the licensing authority in order to transfer the license to a new location, which may only be in the area between Elm street and Walnut street that is between County street and route 18 in the city of New Bedford.”. The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Third
reading
bill. The Senate Bill relative to performance of work on hydrants and certain components of fire protection sprinkler systems (Senate, No. 2124) (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, in concurrence.

House bills
Authorizing the city of Woburn to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4708) (its title having been changed the committee on Bills in the Third Reading);

Relative to the New Bedford Police Association (House, No. 4734); Exempting all police officer positions within the police department of the town of North Reading from the civil service law (House, No. 4747) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing an appointed town clerk in the town of West Boylston (House, No. 4761);

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.

The House Bill relative to the Nantucket Islands Land Bank Act (House, No. 4315) (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.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 4775), which was read.

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

The House Bill relative to the contributions of certain employees in the town of Kingston (House, No. 4712). 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 section 1 and inserting in place thereof the following section:

“SECTION 1. Notwithstanding the definition of ‘employee’ in section 2 of chapter 32B of the General Laws or any other general or special law to the contrary, part-time elected officials of the town of Kingston who receive stipends by vote of the town at an annual or special town meeting under section 108 of chapter 41 of the General Laws shall not be eligible for participation in the town’s contributory insurance plan, in this act referred to as the plan.”.

The amendment was adopted; and the bill (House, No. 4712, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Robert Hackett, an employee of the Department of Revenue (House, No. 4740) (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.

Robert Hackett,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 6 by striking out the words “department paid” and inserting in place thereof the words “extended illness”.
The amendment was adopted; and the bill (House, No. 4740, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Wayland,—
civil service.

The House Bill exempting all police personnel in the town of Wayland police department from the provisions of the civil service law (House, No. 4749) (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 by striking out sections 1 and 2 and inserting in place thereof the following two sections:

“SECTION 1. Notwithstanding any general or special law to the contrary, all police officers in the police department of the town of Wayland shall be exempt from chapter 31 of the General Laws.

SECTION 2. Section 1 shall not impair the civil service status of any person holding a position as a police officer in the police department of the town of Wayland on the effective date of this act, except for the purpose of promotion.”

The amendment was adopted; and the bill (House, No. 4749, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Salem,—
liquor licenses.

The House 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), 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 authorizing the city of Salem to convert 1 seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises and to grant 2 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 4776), which was read.

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

Recess.

Recess.

At twenty-six minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nineteen minutes after one o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.